

NEWINGTON TOWN PLAN AND ZONING COMMISSION

June 24, 2009

Regular Meeting

Chairman Cathleen Hall called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room 3 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut

I. ROLL CALL

Commissioners Present

Commissioner Casasanta
Commissioner Ganley
Chairman Hall
Commissioner Kornichuk
Commissioner Pane
Commissioner Schatz
Commissioner Aieta
Commissioner Camerota

Commissioners Absent

Commissioner Pruett
Commissioner Lenares

Staff Present

Ed Meehan, Town Planner

Commissioner Camerota was seated for Commissioner Pruett.

II. PUBLIC HEARINGS

None

III. PUBLIC PARTICIPATION (relative to items not listed on the Agenda-each speaker limited to two minutes.)

Jay Bottalico, 37 Valley View Drive: First of all I'm here tonight to tell you that I've taken over the Tony Boni liaison between TPZ and the Council. Secondly I have some concerns. My first concern is Arby's. I've watched Arby's for three weeks and they have had signage out there, and I've talked to Eddy about it and I've talked to the Town Manager. Apparently they have been fined, but apparently a one hundred dollar fine doesn't mean anything to them. Is that a town ordinance, is that your policy as far as the amount of the fine?

Ed Meehan: It's the town citation ordinance, the maximum is \$150.00 and you are correct, they have been fined twice, and they were fined again today. Some signs were removed, but not the large flag signs that they had out there.

Jay Bottalico: Are those flag signs far enough back?

Ed Meehan: They are probably in the state right of way. The two I saw were in the state right of way.

Jay Bottalico: Well, they're still there.

Ed Meehan: They were there as of a half hour ago. We will fine them again, and we've talked to the town attorney about that type of scofflaws, both for Arby's and other businesses and the other route that we can take in addition to fining them, is to issue a cease and desist. That puts us into a court route over in New Britain Superior Court. It's a much longer process, but maybe that's what it is going to have to take, to get a court judgment to get them to stop. We can try to go for an injunction, but we probably wouldn't be successful. There's really no eminent public safety danger, so we probably wouldn't get very far with an injunction.

Jay Bottalico: A couple of other concerns. I've had quite a few complaints about the Zoning Official and the Building Inspector. In fact, I've had a couple of incidents myself, and Ed, you are aware of one of them on Cedar Street, and I was just wondering if you people ever bring in the Building Inspectors and the Zoning Official and go through, in other words, how come we don't have consistency? I see a lot of non-consistent stuff going on in this town, and that really bothers me.

Ed Meehan: Well, the Building Department is not under the purview of the Planning and Zoning Commission. It responds directly to the Town Manager. If there are comments about the zoning practices, I'd be happy to talk about that, but not at a public meeting if it involves personnel.

Jay Bottalico: That's all I've go to say, thank you.

Chairman Hall: Thank you Mr. Bottalico.

IV. MINUTES

June 10, 2009 Regular Meeting

Commissioner Casasanta moved to accept the minutes of the June 10, 2009 Regular Meeting. The motion was seconded by Commissioner Schatz. The vote was unanimously in favor of the motion, with seven voting YES.

V. COMMUNICATIONS AND REPORTS

Chairman Hall: 8-24 Referral?

Ed Meehan: There are two, they are inter-related and the Commission has some background on these already because of your involvement with New Samaritan Corporation and the development for the age restricted housing across the street. Item A is the proposed conveyance of 25,216 square feet from the Housing Authority in fee simple, that means we will probably get a quit claim deed for that, will go to the Town, and secondly as part of that is a grant of a public easement for 12,850 square feet which will extend basically Mill Street, and the map up here illustrates both of those.

To get you orientated, this is known as 90 Welles Drive, Channel 14 is located in this building, this is Welles Drive North. This is the end of the senior center apartments at the end of Mill Street, so this shaped piece here, which is the 25, 000 square feet will come out of the first part of New Meadow Phase I which was developed in the early '80's. That 25,000 square feet is conveyed to the Town. It still leaves them with about five acres of land, so there are really no issues with their area. Then the parking area in front of the twenty-six units, public easement

would be conveyed by the Housing Authority to the Town of Newington over this area. That has a couple of legal reasons. First, New Samaritan requires public access to a public street and because we are not going to be using Welles Drive North, this is only way out. Secondly, we do want to widen this parking area by about four to five feet, so that it can easily convey traffic, both with cars parking as well as cars moving back and forth. There are only twenty-one spaces proposed for New Samaritan, so there won't be very much traffic, but for snow plowing and for conveyance of the residents, the Housing Authority wanted to widen that, and the third reason is that we have applied for a small cities grant fund for improvements in front of the Housing Authority Apartments as well as the Senior and Disabled Parking Lot, and the improvements have to be done on public property. Even though the Housing Authority is a semi-autonomous public agency, public improvements have to be done on town land that the Town of Newington controls. So that easement fulfills that requirement, so in addition to parking we will be doing some of the sidewalks over, will do over the lighting, we will fix the sanitary laterals into the Housing Authority and will connect the sidewalks from New Samaritan into the existing sidewalks so we will have a sidewalk system. That's 8-24 Item A. Any questions on that, I'll answer that, or can go on to the next one.

Chairman Hall: Any questions from the Commissioners on this?

Ed Meehan: The second one, and this begins to put the puzzle together, is, we take that 25,000 square feet and add it to the existing acreage that the Town owns, and the playing fields over here and make that piece at least 2.2 acres. This is again, Welles Drive North, 90 Welles Drive North, the 25,000 square feet fits in here, you take a little bit of the north end of the field, we add it to it, and this represents the 2.2 acres which the Planning and Zoning Commission members saw when you acted on the site plan for New Samaritan. Welles Drive North is closed, access is from Mill Street Extension. About a third of the site down slope remains protected open space because of this wetlands and slope area, so this is the only part that is really going to be built on. The parking field is out front here. Then there is about 30,000 feet left over for maybe at least two small, you know, little guy soccer fields, and then the far south end is where we build the parking lot for the senior and disabled center. So that is Item B under 8-24. These reports that you will do tonight will go back to the Council and then the Council after they act on these will direct the Town Manager to make the conveyances. The conveyance to New Samaritan is not by fee, it's a long term land lease to New Samaritan Corporation. The town retains ownership of it, and that lease is actually not signed by the Town Manager until they finish their project. They have to fulfill their requirements under the lease option to, they already have a HUD commitment but they have to pull an early permit, get a contractor, start working on this and then we can convey the property at that point. So that is pretty much it in a nutshell.

Chairman Hall: Any questions for Ed? Now, these are black and white obviously. If anybody wants to elevate the color, pretty much I think everybody knows the property that we are talking about.

Ed Meehan: These have been around for about a year, this comes out of the study committee, parking lot, playing field, housing.

Chairman Hall: Any questions from anyone?

A. 8-24 Referral Report – Newington Housing Authority conveyance of 25, 216 sq. ft. parcel and grant of 12,850 sq. ft. public easement Mill Street Extension – Phase I New Meadow

Commissioner Ganley moved the Commission report to the Town Council its favorable support for the acceptance of the 25,216 sq. ft. property conveyance and the grant of a 12,850 sq. ft. public easement from the Newington Housing Authority to the Town of Newington for the development of New Meadow Phase II.

These conveyances are shown on a map entitled “Property to be conveyed by Deed and Easement granted to the Town of Newington from the Newington Housing Authority – New Meadow Phase I”, prepared by BGI Land Surveyors, Scale 1”=40’, dated 4-2-2009 sheet 1 of 1.

The Commission recommends the Town Council accept these conveyances and acknowledge the Housing Authority’s positive collaboration in providing additional affordable age-restricted housing.

The Commission finds that the New Meadow Phase II development is consistent with and implements the Town’s Plan of Conservation and Development’s Housing Component strategy to expand the supply of housing for this growing age group.

The motion was seconded by Commissioner Casasanta. The vote was unanimously in favor of the motion, with seven voting YES.

B. 8-24 Referral Report – Town of Newington grant of lease for a 2.2 acre parcel to New Samaritan Corporation for development of Phase II New Meadow Age Restricted Housing.

Commissioner Kornichuk moved that the Commission report to the Town Council its favorable support for the granting of a land lease for 2.2 acre parcel from the Town of Newington to the New Samaritan Corporation for the construction of the New Meadow Phase II affordable age-restricted housing.

The 2.2 acre lease area is shown on a map entitled “Boundary and Topographic Survey” prepared by BGI Land Surveyors, Scale 1”=20’, dated 3-17-2009, Sheet 1 of 1.

The Commission endorses this land lease finding that the development of the New Meadow Phase II housing is consistent with the Town’s Plan of Conservation and Development’s Housing Component.

The motion was seconded by Commissioner Camerota. The vote was unanimously in favor of the motion, with seven voting YES.

C. 8-24 Referral Report - Town Road Improvement Program REVISED FOR Fiscal Year 2009-2010.

Commissioner Schatz moved that the Commission report to the Town Council its favorable support of the Revised 2009-2010 Comprehensive Road Improvement Schedule increased from \$700,000 to \$1,385,929, the significant change being an additional \$662,000 committed to the pavement resurfacing of approximately 18, 293 linear feet of roadway.

The motion was seconded by Commissioner Kornichuk. The vote was unanimously in favor of the motion with seven voting YES.

VI. NEW BUSINESS

A. Newington Town Plan and Zoning Commission – Draft 2020 Plan of Conservation and Development for discussion and scheduling of Public Hearing dates. Glenn Chalder, President, Planimetrics.

Ed Meehan: This is a night to get into the plan, we've talked about it since you had the draft, going back two or three weeks, Glenn Chalder from Planimetrics is here this evening to help us go through this draft. You had a good exchange of comments at your last meeting, and if you had a chance to review the minutes you will see that Norine captured your comments, I think very accurately in the record. We wanted to have Glenn be available tonight to continue that conversation, to get any issues that this body as policy makers for the long range future land use plan, the plan of conservation and development want to raise. Either a change in the plan, refine the plan, or take out of this draft, or leave it in the draft for more public input. If you feel that you need to get more comments from residents and Town Council, this is referred to the Town Council, and Boards and Commissions, you're not quite sure about it, let's leave it in there and put it out there for people to talk about it.

What we hope to accomplish tonight is again, to get your comments, but to come up with a calendar at the end of this conversation, so that we know that we have a target public hearing date this fall which is critical to releasing this for public hearing, setting a public hearing date begins the sixty-five day process for referrals to the Town Council, to the Capital Region Council of Governments, making it available on the town web page, as a draft, and other boards and commissions. We want to get the word out, I know that things slow down in the summer, but we want to get the word out as soon as you set the public hearing date and then through the summer and right after the summer break, get as many people involved with this as possible, so Glenn is here if you want him to come up, and he may have some prepared remarks but knowing Glenn it will be impromptu but he'll do a good job at it, I'm sure.

Glenn Chalder: I don't have any prepared remarks but I think the goal today with the Commission would be to go through the draft, get your comments, feedback. The Plan itself is intended to reflect your thoughts, ideas, goals, your vision for Newington and you can make changes so that we can go ahead and refine this draft as Ed pointed out, and then start to share it a little bit more widely in circles so that people become more and more familiar with it, and if the Commission is comfortable leaning towards adoption some time in the future.

Chairman Hall: If you would like to come up to the podium too, so that way we can, you have your easel here, your draft plan on it.

Glenn Chalder: Well, I think my goal Ed, would be start, in a sense, on page one and ask you if you have any thoughts, questions, ideas, things that you would like to change, add, subtract, in the plan. Ed, does that sound.....

Ed Meehan: With the Chair's permission, yeah. I don't think we have to go through every page, but by section, if you see something that jumps off the page that is a hot button issue that you know of, from your involvement in town service, let's talk about it. If there is a technical question that Glenn and I could answer, why an issue might be in the plan, we'll do our best to answer it. I would say that this document, I think Planimetrics did a very good job in pulling together a lot of pieces that we had around the table here over the last two or three years and put this together in the format that we talked about I guess back in March, how you wanted to structure your plan. So by section, if you see something that you want an explanation on, or change let us know now, so that we can clean it up and get it ready for drafting. That is probably the most expeditious way of doing it.

Chairman Hall: Okay, we'll open up the floor and anyone who has a comment initially off of this first part which is known as the Introduction. I'd just like to say, I like the consistency of this plan. That everything that is in the introduction is followed through, throughout the plan, and certain things that I know that we have emphasized are also emphasized more than once in the plan, and that's important starting right with the Vision Statement, things such as the wetlands, Cedar Mountain ridge line, those are concerns that we have currently and we know will have for the next ten years, and of course, this is a ten year plan. Not that we all have a crystal ball capability at this point, but we do the best we can, knowing what we know, trying to lay out for the next ten years things that are important and how we can handle them. Anybody have anything on the introduction that they need explanations? No, everybody is good. Conditions and Trends, again, it was an historical description and then the future, and again, we don't know for sure, but based on census data, and what has happened through the years, this is your best guess as to what we are going to look like in the next ten years.

Ed Meehan: The only thing that I would inject here, and I have gotten some feedback on some of these photos. Those are just place holders. This is what, after Planimetrics with their map capabilities and their knowledge of Google Earth and other sources, they put those in here as visual aids. When we get to publication, we certainly can change these or we can get ground level shots or whatever you feel you want, and you will have another chance to look at those. The one that caught my eye was the one on page nine where there is a crooked industrial park sign, that won't be in the final document. Hopefully we will get the pictures that relate to give the reader a quick visual message of the page that they are on, along with the maps.

Glenn Chalder: We might benefit from a sunny day, too Ed.

Ed Meehan: Yeah, really.

Chairman Hall: And when the plan is actually published, it won't be December 2007th, figures, it will be more updated at that point, on page nine, the unemployment rate, medium household income, those kinds of things? Will you revise that again?

Glenn Chalder: Well, I'll make a note to check those for update. The issue is we try to report the annual average, and there actually is lag time between when the year is done and when the annual average is computed so we will go back and take a look at those.

Chairman Hall: Right, but is this is going to be for 10 to 20, we might have something that is more current. Anything else?

Commissioner Schatz: The thing that I, Commissioner Ganley's report, I was going over this, this afternoon, and when we came to the center of town, you know, he pretty well spelled it out.

Commissioner Ganley: Which page?

Commissioner Schatz: I'm on two,

Ed Meehan: Two, in Tom's memo?

Commissioner Schatz: Yeah. The only thing I didn't see and this is just looking into a crystal ball, have you taken into consideration that maybe Keeney Manufacturing might not be there and what we would do with that land?

Chairman Hall: That's on one of the maps.

Ed Meehan: It's in the land use map, and on page eleven, you see that purple, long rectangular shape. I don't think that there is any specific strategy you know, focused on Keeney. It's a possibility that they may find that facility doesn't suit their needs. It is somewhat unusual to have an industrial facility, you know, making durable products in your town center, but by historical accident, or by I think, they have been good neighbors in the center in the sense that they provide employees who shop in the center, and use our services, but as far as a succession plan, we do not have anything in this document.

Chairman Hall: On page ten, I just had a question. We are talking about residential, commercial, open space, community facilities, others, and other right of way. I'm assuming that includes roads? Twelve thousand acres, twelve hundred acres?

Glenn Chalder: Yes.

Chairman Hall: We have developed and undeveloped. How about non-developable, is there way to see certain areas that just can never be developed?

Ed Meehan: We have some numbers on that, I think I can go back and get those out. We had looked at, of the vacant land, how much had environmental restrictions, because of wetland or slope, and if I recall, it was like fifty-fifty. Fifty percent developable, fifty percent marginal to undevelopable and I can pull those numbers back out, I'll pass them out to Planimetrics. We had those by zone districts, commercial, residential, industrial and if you take a look at this land use map, those big white sections are the vacant areas, but if you look at like over off of Cedar Street where the busway and the rail corridor converge, that big white triangle, that's not developable because it's all inland wetlands, flood plain, Piper Brook flood system, but I can try to get those numbers for you.

Chairman Hall: I'd be interested in that because even though it's undeveloped, people might think, well, you know, we've got almost eight hundred acres here that we could do something with, and that's not true. We have a considerable amount of that that can never be.....

Ed Meehan: I haven't read this since a couple of days ago, last week, some of that may have been picked up in the natural resource section.

Glenn Chalder: I don't think those acreages are in here Ed, but I think we can modify this table, just as up above under land use, for example, we have residential as a category, and then a subcategories under the undeveloped-vacant, we can put subcategories under there to indicate, and I think that would help people have that information here rather than somewhere else in the document, so we will get the numbers from Ed and we'll go ahead and put that in.

Chairman Hall: Thank you. Anything else?
Conservation Strategies is the third section.

Ed Meehan: We had some comments from Commissioner Pane on correcting our zoning map, which I will pass on to Planimetrics.

Chairman Hall: Page 13?

Ed Meehan: Yes, down, a couple of zone districts that given the scale, the accuracy I think we can reflect on this, and I'll make sure that Glenn's GIS people have that information.

Chairman Hall: Conservation Strategies? I just had a question on 16, cataloging information on underground fuel storage tanks in order to protect the water quality. Does that include residential and commercial?

Ed Meehan: Normally we would only do that for commercial uses, industrial and commercial. Some of that is already available through the Building Department and the Fire Marshal's office, mostly from the Fire Marshal when they remove tanks, it's more or less historical background information. It would be quite a task to do it for residential although we see fewer and fewer of those.

Chairman Hall: But that was my question, you are going to catalogue information and I'm assuming that they are talking about commercial, not the residential.

Ed Meehan: Right, maybe we want to say, catalogue the commercial?

Chairman Hall: Right because there are quite a few in town in certain areas, but I didn't think you had that information, or had any way of knowing it really, unless you go back to the original building plan. Anything else?

Ed Meehan: Just a note on the natural resource plan map, page 17, this is a very well done map, it shows a lot of the environmental issues that set the template for Newington, and we have a strong wetlands system with Piper Brook and Mill Brook, Rock Hole Brook going down towards Webster Brook in Berlin, but I think one of the critical things here is the, if you look at the slope characteristics along Cedar Mountain ridge line, the hillside, which we will probably talk about later, this shows definitely the pattern of our trap rock ridge line, and how the configuration of that band of dark brown runs from Hartford, Cedar Hill Cemetery, all the way down past the Callahan piece, even up along some of the Back Lane section of Newington. So I just wanted to call that to your attention to keep in mind when we start looking at the hillside issues.

Glenn Chalder: The map on page 19 is the one I wanted to bring to your attention, first the area of the hillside is a red, sort of hatched bubble pattern around in a sense, just to indicate that it is a scenic hillside, but lacking more direction from the Commission, it's hard to get any more specific about that particular area, and then down at the bottom at the legend, you will notice it says, desirable open space, and none are shown at this time, so if the Commission had any thoughts about areas that they think might be particularly advantageous for open space, we can add those in. On the other hand, if that is something that the Commission isn't interested in expressing at this time, I would suggest that we take that out of the legend just so that it is not unrepresented on the map, so I wanted to be sure to point out those two issues.

Chairman Hall: I had actually hi-lighted that, open it for discussion as far as, are there any areas that in this report, we want to designate as possible and the word desirable is a good one because it is desirable, doesn't mean that we are keeping it as open space, it's just that it would be desirable.

Commissioner Camerota: Well, I think you have to include Cedar Mountain. That's a big part of open space that people want to maintain and whether it should all be maintained as open space, is an issue to decide later, but I think it has to be at least designated a desirable spot.

Ed Meehan: Well, would you want to have it as extensive as the bubble pattern which Glenn mentioned, or would you tighten that up, or would you, you know, keep it that broad, what's the sense of the Commission on that because these begin to layer on top of each other and they will have an effect in some other sections of this plan. I mean, a bubble pattern around Balf Quarry may be a moot point, we know just from the presentation from Mr. Lane, they are down thirty feet

below the surface, so should we designate that open space with a bubble pattern? These are some of the refinements that we can look at this point. I think that is the reason that Glenn put this on the table. Do you want to see, how extensive do you want this?

Commissioner Ganley: The southern most part, adjacent to Cedar Street which is under consideration for some type of development beyond the trail, so I'm guessing the bubble that you are referencing on the map might very well be pushed northerly so as to formulate the same boundary line as the open space corridor.

Ed Meehan: Okay, we know that the corner piece, the former Lowe property, that ten acres there is already, has a development approval on it, next to that, the blue area is the Connecticut Humane Society. If you fold back one page and look at the natural resource plan map, you get some sense of where the twenty-five percent or greater slope is. It does cover the western corner of the twenty-eight acre piece, it covers the, a good section of the piece to the north of that, which is owned by the Balf Company and then it runs right up through Cedar Mountain Ridge Line, most of Cedarcrest. This is again, twenty-five percent. Our subdivision regulations and normally anything over fifteen percent is considered tough to build on. This twenty-five percent mapping on the natural resource map is a good indicator of some severe topography. So I don't know if you want to reflect on that, and, following up on what Michelle said, look at that in light of setting some open space guidelines for this area, or again, leaving it open until you go through the public hearing process. People are going to look to you for some guidance here, and also will be seeking some input from the Conservation Commission. I know over the past few years, and more recently with the Hunter Development, they have strong feelings about protecting some of the ridge line.

Chairman Hall: Especially the inland-wetlands area.

Ed Meehan: The wetlands area, right.

Chairman Hall: Right in that front part, that southern most section that actually goes right up to Cedarcrest.

Ed Meehan: Yeah, and there is a big pocket of wetlands right behind the Humane Society. So again, that is another source of public input, from the Conservation people in town.

Glenn Chalder: I'm wondering if our next major milestone might be a public hearing, an opportunity for other boards or Newington residents to participate or contribute their thoughts, if it might make sense in the legend that instead of calling it desirable open space, which sounds specific, call it something like, desirable open space areas, and then put a note, change the note, which is none at this time to say, awaiting public input, and let's see what kind of comments we get at the public hearing so if you wanted, I think we could put the green cross-hatch within the revised bubble area and see what we get for public comment on that.

Chairman Hall: Now, would the bubble area and desirable open space be mutually exclusive? Why couldn't we leave the scenic hillside, and then within that, have the open space, because I don't think we have to negate what you already have for scenic hillside, I think we can agree with that, pretty much the whole thing.

Commissioner Camerota: I think that is how I was envisioning it, that it would be within that.

Ed Meehan: So do you want to follow up with that and say, none at this time, but awaiting for public input.

Chairman Hall: He didn't say none at this time, he said area, desirable open space area, awaiting public input. I think we have a consensus around the table that we are interested in cultivating some more open space, aren't we?

Commissioner Casasanta: I think we do have to protect some of that area, absolutely. I think we should flesh out how much, where, that kind of stuff, but I think we definitely need to maintain some of that.

Chairman Hall: That is the most obvious space that we have right now, even though we have some over on Fenn Road. We had talked about that actually with access from 9, which would make it a whole different type of set-up, as an office park, or whatever.

Commissioner Aieta: On the Cedar Mountain parcel, the map on page 19 that is encompassed by the orange, scenic hillside, this Commission has to take a stand on what we want on some of these parcels that are up there. In the past, this Commission has rejected every single person that came in with housing, corporate headquarters, hotels, there have been several different people who have come in with different ideas of what they would like to see, and this Commission has said, not this particular group of people, but this Commission as a whole in the past, has rejected several different ideas. We're running out of things that can go on these pieces. If you look at the zoning map, a big portion of that parcel is zoned as R-20 land. The parcel between Cedarcrest Hospital and the Humane Society, that whole piece is R-20, R-20 land. We have to give the people who own that property some idea of what we will accept. People have come in and have brought several different ideas, and none of them were acceptable to this Commission. I think Ed, you could expand on that, you were here during that time, how many different types of developments came in that were never.....

Ed Meehan: There were at least three, three housing developments, of different heights and densities, and then one more recently commercial subdivision which was what this site is zoned for, but because of the extensive impact was denied. So you're right, as public policy makers as far as land use, you need to provide a long range perspective. If you show this all green, then you are telling, the message is, that you want to protect it as open space, and you know, the property owner will come back and say, get your check book out. We had to give back two DEP grants because we didn't have enough money to buy the property, so you have to have some reasonable use, you have to leave the property owner with some options and flexibility for reasonable use, in light of public safety and public policy. You want to protect the open space and you want to have a safe development, so you have to try to strike a balance. You have to be careful of showing something that is going to basically say to a property owner he has no options. There are very limited things that you can do under the statutes. I think tidal wetlands is about the only thing you can do in the State of Connecticut, and that certainly is not tidal wetlands, not even inland-wetlands you can't.

Commissioner Ganley: Relative to that parcel, I think you're kind of in the ball park, essentially what you say is sort of correct, and the reason that I say sort of, we did have a very good proposal come before us which we did in fact approve and are still working around that so I don't know how we are going to close the door on that, but certainly we will. But I'm still advocating that line, and I just drew a little scratch here, the bubbly line follow that hiking trail which is located to the north of the Humane Society. There is a wetland that begins, I think its 400 feet from the back door of the building sighting down the slope, and this line would sort of just get around there, and preserve this particular parcel for development and the area right behind the Humane Society which is wetlands and you couldn't build there anyway, just leave that the way that it is.

Commissioner Aieta: What person, what entity came in that we have some kind of a deal with?

Commissioner Ganley: Well, it's some kind of, that's the problem, we have, some kind of, we'll probably be talking about that next week, but we had a proposal for a hotel, gas station.....

Commissioner Aieta: Oh, okay, so that encompasses that whole.....

Commissioner Ganley: Well it does except for the wetland down the slope from the Humane Society.

Commissioner Pane: The lower section.

Ed Meehan: That's gone through all of the approvals, there's not really questions there, the issue is, the point is the twenty-eight acres to the west of that. How much of that do you want to restrict?

Commissioner Pane: How much is the density? What is the density that we want, all that. That will also blend in with the approved one on the ten acres, down below.

Commissioner Aieta: That is everything south of the trail there, right?

Ed Meehan: Right.

Commissioner Aieta: I'm talking, what about the parcel north of the trail. There's a huge piece....

Ed Meehan: Yeah, that's a sixty acre piece owned by Balf....

Commissioner Aieta: That's zoned R-20.

Ed Meehan: And the western third of that, is basically steep slope, it's one of the sections in town that actually qualifies for the ridge line protection overlay zone because that is where the overlook is, and is probably three or four hundred linear feet of slope over fifty percent. So, and that.....

Commissioner Aieta: So just because of it's own nature, it becomes protected open space forever anyway. Just by the nature.

Ed Meehan: Yeah, so the western third of that, if you were looking at it from a wetlands and slope point of view, probably should be protected (inaudible), it's the easterly two thirds that has frontage, almost two thirds of that has frontage on Russell Road. It abuts the Humane Society, this trail here, Cedarcrest.....

Chairman Hall: And Cedarcrest may not always be there.

Ed Meehan: Cedarcrest is one of the state parcels that the Governor mentioned in her address to the General Assembly as being possibly closed. It could be offered to another state agency, if they don't want it, next in line is the Town of Newington.

Chairman Hall: All right, so have we given Glenn any direction?

Glenn Chalder: I think I have a clear vision of where the Commission wants to go and I think again that the next step is to share this with broader circles and see what kind of comments we get, and then we can continue this discussion and finalize it after you have had a chance to deal with it, but I think I have a clear picture and am ready to go.

Ed Meehan: On this map, it's a very small slice of property, we just talked about it under 8-24, I'll bring it up because the residents on Welles Drive asked me about it, and maybe we mentioned it in one of our public hearings. Now that we've established where the New Samaritan boundaries are going to be, and where the parking lot is going to be expanded, a couple of the residents asked me, can we show on a map, a public map, the area in the middle is green, that's where the soccer fields, the playing fields would be, and I said, that really is a call of the Park and Rec board, and then eventually the Town Council because right now it's just town property, but it's not designated as park land, like Churchill Park or Starr Park. So I don't know if you want to put that in your plan, or again put that out there where you are looking for public input. It's one of those areas, I think residents, as small as it is on this map will have some comment on. The desired open space area is so tiny you probably can't effectively show it on this scale, but.....

Chairman Hall: We could put two little lines.

Ed Meehan: It's important to that neighborhood, and it's the result of a lot of work of the Town Council and the study committee.

Commissioner Camerota: Is it green now?

Ed Meehan: No, it's white.

Commissioner Pane: I think you're right, the residents in that area were really concerned with it, and I think maybe we should have a picture of it and in our town plan say this area should remain as green space and used for recreation for the neighborhood, and print that and have a picture of it, so that it's in the book.

Commissioner Schatz: They were very concerned.

Commissioner Pane: Yeah, they were.

Ed Meehan: Okay, hold that thought and maybe we can pick that up when we get to the part where we talk about open space and recreation, or community facilities would be the appropriate section.

Chairman Hall: Community character plan, pages 20 and 21.

Glenn Chalder: I'm not sure this is working the way, what we were trying to do here is show some of the treasures of Newington and sort of where they are and the aspects of them. Right now the town is sort of off set, you don't even get a chance to see the whole town and so on, so we're trying to figure out if there is a better way to present this, at least get all of the town on a page, and then show the pictures as well.

Ed Meehan: I think the idea of the pictures, I got the message. Are there any other areas besides these ten that you want to reflect on, and you may have to do something with the map scale, or the picture scale, do something with the ground level pictures, some of these aerials, Old Highway greenway doesn't necessarily, that could be anywhere as opposed to you know, things that we are missing here as far as character aspects, this is something we have never had in prior plans of Conservation and Development, so I think it's a nice feature.

Chairman Hall: The other thing I don't see on here is that greenway that actually goes from Twenty Rod Highway in back of Stage Coach Lane, over the MDC property and then around and about.

Ed Meehan: Down at the corner of Rocky Hill.

Chairman Hall: Right, because that whole section is sadly under represented on this map. There has to be something in each section.

Glenn Chalder: Maybe we should give that a star and take a picture of it.

Chairman Hall: The old Highway greenway, it really ties in and we have a couple of greenways in town now.

Commissioner Pane: Under strategies, number two, develop a street tree planting and maintenance program that is sensible to the utility service, constraints and town's financial resources. What area are you talking about Ed?

Ed Meehan: That could be almost any area. There are urban street grants, street planting programs that, we've never taken advantage of this, but it would be parts, older parts of the community where it could be desirable to remove very large trees that were damaging sidewalks and replanting a smaller tree that makes sense in that, between the curb and the sidewalk, and that's why it references the utility services. Reason it is in the plan is so that we can position ourselves to go after grants, and it's also a requirement of the subdivision regulations that each new lot have at least two street trees. That's why it's there.

Chairman Hall: This wouldn't get us into trouble, I remember a couple of years ago, what street was it, Theodore or Frederick, there was a big deal with all the sidewalks being lifted by the trees and they wanted the town to go in and.....

Ed Meehan: Frederick.

Chairman Hall: Was it Frederick?

Ed Meehan: Yeah, you know, that section over there off of Robbins, it's an older neighborhood, that's a good example of what happens when trees get so big that the sidewalks are dangerous, but if you take all the trees out then the neighbors don't like that. The other option is to go in and use bituminous, black top which tends to be a little bit easier on the root system, but they are hard to maintain.

Chairman Hall: And they are ugly.

Commissioner Ganley: Northwood is like that, all the sidewalks are up, the trees are like this, they have giant canopies, they are beautiful in the fall, but all the sidewalks near the trees are all buckled up.

Ed Meehan: See, the right way to do it, again, this is hindsight, forty years ago, you put the trees in back of the sidewalk or have a wider utility belt between the curb and the sidewalk so that you have enough room so that when they grow they are not going to buckle the sidewalks. Now our regulations require that they be at least ten feet in back of the sidewalk, on private property.

Chairman Hall: So then it becomes the homeowners problem.

Ed Meehan: It is the homeowners problem, but it becomes our problem if they were planted during the subdivision process, and as the trees mature that they don't cause problems to the sidewalks and the root system doesn't buckle the curbing and all that stuff, and the homeowner could cut it down.

Commissioner Aieta: I have a question on the community aspect. Number seven says, implement the junk car ordinance, we have a junk car ordinance don't we in the town now?

Ed Meehan: We have an ordinance but it is very difficult to administer. There are layers of appeals and exceptions. This comes from the prior plan. I looked at this, and I wrote down something below that. It may be time to revise or eliminate the junk car ordinance and pick it up under something else.

Commissioner Aieta: How was that put into place? Was that a Council action that put the junk car ordinance? It was an ordinance?

Ed Meehan: It was an ordinance, it was passed by Council.

Commissioner Aieta: It was passed by Council and there are all kinds of layers and appeals and you can drag it out forever.

Ed Meehan: Yeah, and there is a.....

Commissioner Aieta: There's got to be a better way and there has to be an easier way to enforce it too.

Ed Meehan: You can cover your car with a tarp, you can show that you have a classic vehicle that you are working on, it was designed by a committee and everybody had their finger in it, so it's tough to implement.

Commissioner Aieta: How would we put that into the Zoning Regulations, take it away as an ordinance and make it a zoning.....

Ed Meehan: We have it in the zoning for any vehicles that are not registered for over thirty days, if you park on the lot and your car is not registered.

Commissioner Aieta: That's already in the zoning?

Ed Meehan: That's already in the zoning. That requires monitoring over a thirty day period. There is a number nine here, I was going to suggest, it's being worked on now by the Town Manager's Office. It's called a property maintenance ordinance which folds in the current blighted ordinance, blighted structures ordinance, along with items that we don't have any direct control over, the height of grass, the liter on property, we're trying to get that, and get legal advice on how to put that into an ordinance with enforcement power. That is constantly a problem, not just in Newington but a lot of towns where people don't maintain their property to the quality of the neighbors, so we are working with an attorney on that right now.

Chairman Hall: That would be good, because when I was on the Council I tried for ten years to get something and kept being told that private property, we had no purview which I thought not the best attitude, because other towns have done it.

Ed Meehan: Yeah, I think we have to be careful of private rights, but also there may be things under the health code and other safety ordinances where we might be able to try something.

Chairman Hall: Well, as I was saying, no other town has limits.

Commissioner Ganley: Frank, David Pruett and I fought a very lonely battle through the last Commission and we lost on this junk car ordinance. We even submitted copies of other town's

junk car ordinances, did all kinds of research, all kinds of background. We even drew up an extremely simplified way to solve it. Never happened!

Commissioner Aieta: That was a different commission, bring it back up,

Commissioner Ganley: This Commission, no, not this Commission, the Commission. When Pruett was here we submitted a whole lot of stuff and nothing happened with it, and when I was working as Police Chief we took a tour of the town, on a bus, and pointed out all the cars all around town. It was incredible. It was just awful, and you know what, we still don't have a junk car ordinance because I often wonder, I say this with tongue in cheek, I want to tell you that in advance, what the voting block is of junk car owners that consistently block efforts to get the junk cars off the properties. How much would they swing an election if this thing became a political issue, junk cars? I say that tongue in cheek, Frank, but you get my message.

Commissioner Pane: It has improved.....

Commissioner Ganley: A little bit.

Commissioner Pane: No, it has improved quite a bit over the years I think because we have taken quite a bit off. Is it still a problem, yes. I remember when Manager Keith Chapman was here, he would drive around and he would find them all the time. He was finding them and getting them, and unfortunately it's one of those things where you have to locate them and you have to stay on top of them, unfortunately.

Ed Meehan: You have more authority as an ordinance versus the zoning regulations so I think working with the Council on this property maintenance ordinance, or tuning up the existing junk car ordinance you have more authority. I remember with the police action, there is a way that you can actually placard cars under the statutes.

Chairman Hall: You got a ticket.

Commissioner Ganley: It was a violation of a town ordinance and you wrote the town ordinance in the ticket and put it on the car.

Ed Meehan: And within seventy-two hours you could tow it.

Chairman Hall: It had some teeth.
Development strategies, Section Four.

Glenn Chalder: To the map on page 25, I would like to suggest that we add a note at the bottom to read something like as follows, shapes are for conceptual presentation only and are not intended to define specific boundaries or (inaudible) areas. More than anything else, to kind of give people a general sense of the organization of town and the possible directions for the future, but that's all that means there.

Chairman Hall: And this is that buzz word that we will hear a lot of over the next ten years, and that is the transit orientated design, and in this case, transit orientated nodes.

Ed Meehan: I think this reflects definitely the structure of our Berlin Turnpike corridor and the TOD's, transit orientated opportunities, the town center, in a very simple but clear way.

Chairman Hall: And the gateways are good too.

Commissioner Pane: I had a comment on here at the last meeting, I just wanted to make sure it was picked up on, Section 4, protecting residential neighborhoods. Maybe in strengthening that, improving buffers, on areas for example, Day Street or other industrial area, when ever developments come in, improving them to protect the residential neighborhoods.

Chairman Hall: I did see that somewhere else in the plan, and I'm not sure where, but we can't say it often enough, so, and that is the whole point, as we go from section to section, the more continuity and the more consistent theme we have from one section to the other, the better off we are going to be.

Opportunity Sites, and obviously without page numbers or whatever, as you went through this, did anyone think of any other sites that we might want to put in.

Ed Meehan: Since this was printed, we have taken that opportunity map that was developed a couple of years back and edited it, sent it over to Glenn's GIS staff, this is a small version of it, this is a page version, but this is basically the twenty-five sites number coded to the key areas and when we do get the pagination coordinated we would plug those in. Like 25, I don't think.....

Chairman Hall: Gateway site, commercial?

Ed Meehan: Yeah, well we changed, the edit used to say, (inaudible) kitchen, we just said gateway site.

Chairman Hall: Stew Leonard's you could say now.

Ed Meehan: Yeah, maybe we could say Stew Leonard's. Originally when we did this we put on the vernacular that people would recognize, Stew Leonard's people would recognize, that's a good idea.

Chairman Hall: I don't think that too many people know that part of Cedar Hill is in Newington. When you tell people that they are like, no, that's in Hartford, but we do, we have that whole section.

Ed Meehan: Goes all the way down to Hartford Avenue. These are not just opportunities for development, there's both open space as well as development sites here.

Commissioner Pane: I don't know if Hartford Avenue, Balf site should be there. Like he said, that's going to be tied up for a long time.

Ed Meehan: This might be the twelve acre vacant piece across from Balf, on the west side of Hartford Avenue, I'd have to look at the map going around, I think that's what that is.

Chairman Hall: While we are waiting for that to come back up here, anything in the Town Center? One of the big hot buttons with the Commission has always been height, and I think again if we put it in here, what we expect. On this one, they are talking about three to four story.

Commissioner Kornichuk: I just have one question. How high can our fire apparatus reach?

Ed Meehan: It's probably six to seven stories.

Chairman Hall: Now they can do the apartments, Market Square Apartments, correct, and that is just about their limit. That's a....

Ed Meehan: Those are six stories, but they are not really a true, floor to ceiling is not really twelve feet, they are very short. The other tall building is the Curtis Building at Hartford Hospital, the Children's Hospital piece. That could be five to six stories. You can't tell because of it's location, it's so far from the street.

Commissioner Pane: What do our regulations call for right now?

Ed Meehan: In the town center, business town center is zoned three stories is the maximum.

Commissioner Pane: Three stories in the town center and out of the town center?

Ed Meehan: Four stories in the planned development zone, and you can go up to five in the commercial development zone with the Commission's special exception.

Commissioner Pane: And now you want to change it to five stories in the town center?

Commissioner Aieta: No. Three to four stories.

Commissioner Pane: No, on page thirty, mixed use developments further implementations of the town center design guide permit higher density and building height up to five stories.

Ed Meehan: Ask TPZ. We knew this was going to be a discussion item, so we needed to ask you. It's in both places, on page 28 and page, as you just pointed out, page 30. Obviously there are economic development implications in a decision like this, there's, related to this there is the density that goes with it, there's also, possibly, depending on the use the traffic that is associated with it and there is also the overall community character. What does this Commission, the land use policy makers want to get across for the sense of a suburban community? Given that you don't have any land left.

Commissioner Ganley: I made a note, you guys have it on page 6 of the report that I gave to you last week, item 2. Would they be able to squeeze a bit more out of the Kelsey/Christian Lane area? I've been there a couple of times, there are some nice parcels down there that we may be able to get a little more use out of and I think there is an opportunity for some development down in that particular area. I've been out, Berlin seems to have taken the lead, as you go up Christian Lane into Berlin they've got some little industrial buildings along there, they seem to have utilized that Christian Lane area. I know that we have the old City of New Britain ash garbage dump incinerator down there, but the property immediately to the east of that.....

Commissioner Pane: It's part of the town dump.

Commissioner Ganley: Yes, but the area to the east of that, where their boundary line ends, that's the Town of Newington, all down in the back, that's all ours, the dog warden area. The dog warden pound I think is in Newington. So that whole area down in the back has some opportunity, we just have to figure out how to squeeze a little bit more out of it. I'm looking at maximizing whatever parcels we can, and I took a ride down there a couple of times, took a stroll in the woods, I wasn't stalking anybody, but I think there is an opportunity down there, that we may have missed, I don't think we should overlook that.

Commissioner Pane: You are talking about the pound on Christian Lane?

Commissioner Ganley: Yeah.

Commissioner Pane: That pound is actually in Newington?

Commissioner Ganley: Yes it is.

Commissioner Pane: But now you have, the incinerator is in New Britain, right?

Ed Meehan: Yeah.

Commissioner Pane: And then there is a small stretch of Newington, and that goes behind Bridle Path in a residential zone.

Ed Meehan: Yeah, a lot of that is wetlands.

Chairman Hall: Down on Foster Street, Orchard, that area.

Ed Meehan: And if you go back in there, I don't know if you saw this, there is actually a fairly high elevation where it was filled when the City of New Britain operated their ash dump and land fill and Copart now has a lot of the leased land.

Commissioner Pane: As a matter of fact, they utilize the land adjacent to the Town of Newington without getting this Commission's permission.

Ed Meehan: I would be a little bit careful about building just because of the haz-mat in that area, what's underground. It all flows south to Berlin, it is, as you say Tom, it's a no man's land down there, but I think a lot of it is best as open space.

Commissioner Ganley: Where were we, in the Town Center.

Ed Meehan: Yeah, the issue of height, how do you want us to keep this in the draft? It's again, we could change that to ask TPZ members to, what does the public think.....

Commissioner Pane: I think we should set that as policy, I think we as a Commission should set that as policy.

Commissioner Ganley: Well, can we pick a number?

Commissioner Pane: I think it should remain the way it is.

Commissioner Kornichuk: I second that.

Commissioner Camerota: I agree.

Commissioner Casasanta: The, I know it is just out there for discussion purposes but the five stories that is mentioned on page 30, was the thought process kind of like where we would have in the town center like businesses on level and maybe apartments or something above the businesses?

Chairman Hall: Right. That was one of the thoughts where you would have business and retail on the first floor, and then.....

Commissioner Pane: Which you could still do because you are allowed three stories, you could have a business and then you could have a two story condo above it.

Commissioner Ganley: Where are you saying, up to five stories?

Chairman Hall: Number 6.

Commissioner Ganley: Number 6, up to five stories?

Commissioner Pane: No, what our regulations call for now is up to three stories in the town center, right?

Ed Meehan: Right.

What I added to the end of number 6 was, I added to the very end, five stories dependent on impact to adjacent land uses on parcels east of Constance Leigh Drive. That is basically the Children's Hospital piece because there you could probably set it back from the street and you have enough distance to lose that height as you go easterly towards the existing Children's Hospital property. Other parts of the town center, I think a five story building would overwhelm the adjacent properties because everything is one and two stories.

Commissioner Aieta: Right, unless you did a major.....

Chairman Hall: Right, you would have to knock it down and start over like a BlueBack, but I don't see that happening.

Commissioner Pane: But now that opens up a density over there now for that Hartford Hospital piece where now you are increasing the density in that area, and I don't know whether or not we want to encourage a higher density there or not, that is something that the Commission needs to think about.

Commissioner Ganley: Business or residence, what are you.....

Commissioner Pane: Well, you normally wouldn't put a five story business in, but, so that is probably going to be residential if somebody puts a five story building in, so now you are increasing the density of your residence and stuff and that has impact on the town, so you have to think very carefully whether or not you want to increase the density to that level.

Commissioner Ganley: Well the other way that you increase the density is town house construction so that, clustering houses in groups, you would get the same amount of density I suppose if you go along the street with thirty condo units or go up in an apartment building with a certain height, so density works kind of both ways and we are going to have to figure out the closeness, if you will, as opposed to the height of dwelling units. We kind of have to work that in.

Chairman Hall: Well, density can also include number of units per acre or whatever, so there are a lot of ways to look at density.

Ed Meehan: Well, this section, east of Constance Leigh Drive is geographically it is in the town center but from a zoning control it is in the public land zone. So it is not part of your business town center zone. It's always been an issue as to what is Hartford Hospital going to do with that twenty-two acres or so along Constance Leigh. We have asked them not to do it incrementally, and Tom mentioned this, come in with a master plan so that we can address the height and the density and roadway system and drainage, and traffic, all those things. But again, this is one of the things, this is an important land use decision I think.

Commissioner Aieta: What is it zoned now?

Ed Meehan: Public land zone. In the public land zone you can do hospitals, not for profit uses...

Commissioner Aieta: So basically to do any development you've got to change the zone.

Ed Meehan: Yep. So, you have leverage on that. This Commission has control over what happens there and that has been always the sense of not to change that zone until you knew what you were going to get, and what the quid pro quo was going to be.

Chairman Hall: Well I think I heard more on the lower density, or height than I did on the increase, but what about this idea of east of Constance Leigh? Can we consider that, having that be a little bit higher, as far as up to five, obviously with TPZ approval and it would have to be based on the plan that they bring.

Commissioner Pane: Why do we even have to, if it's public land, then it wouldn't necessarily have that now, would it? What is it actually zoned right now? I mean, it's public land.....

Ed Meehan: Public land zone.

Commissioner Pane: And they can put up to what right now in the public land zone?

Ed Meehan: Whatever the Commission would permit.

Commissioner Pane: Oh, it's not in the regulations?

Ed Meehan: No.

Chairman Hall: They would have to come before us with a plan. Then we would decide whether we like it or not.

Commissioner Pane: I thought it would be in the regulations.

Ed Meehan: There is no height limitation. That's how Children's Hospital Curtis Center got to be five stories, I guess. That was built probably back in the '70's.

Commissioner Pane: I don't know, maybe we can come back to that, something for us to think about on what we want in that area. I'm concerned that if we go up to five stories, when that changes over from public land to something else that it's going to lead to high density apartments.

Commissioner Aieta: It's going to happen Domenic, they are going to have to change the zone, so the zone is going to dictate the height when they change the zone. The zone regulations regulate heights, even in a residential zone, so they can't do anything until they get a zone change, so the zone that they come in for will dictate the height of the buildings.

Commissioner Camerota: So they are going to pick the zone that is going to go with their plan and then we can decide whether we want.....

Commissioner Pane: Unless we dictate and set some policy on what we want to see in that area too as far as a zone.

Ed Meehan: Well, they may come in, let's say hypothetically someone may get an option on the property, do a mixed use development, some apartments, some street level commercial, you know, an extension of the town center, meet our town center design guidelines, as Frank is saying, they would come in and ask for either an amendment either put the property into the business town center zone, or create a new zone, let's call it the town center design district. If they see five stories in your plan, they are going to say, well, you guys said five stories, so we are

asking for five stories. If you say three stories, they say well we can't do three stories, it's not cost effective, we will have to ask for more. Say four stories, they may go to four stories, so they are going to have to go back to your Plan of Development to justify an amendment to the zoning regulations. That's statute, you have to tie things back to your Plan of Development. So what you pick is kind of important, either you are silent on it, or you pick something.

Commissioner Ganley: I made a couple of suggestions, I spent a lot of time, actually a lot of effort on the town center because I believe that it can be something and one of them was that, we're going to finish this plan at some point in time, rather soon, get it up to the Council, get it back, the town center is so important to us, so important to the general character of the town and how it is going to evolve for future generations, that it might be in the best interest of us to take the town center and subject it to a separate and distinct study for the exact purposes that you and Dom have raised, and I raised some in the reports that I have sent in, that we'll tell the developers what we want. Because that would be in the town center specific plan, it will be called what we say it is. It will be zoned with some variations the way that we want it to be, and then we will farm it out and say, okay, what can you guys do for us, this is what we want. The other suggestion is, I see this design guide lines, it's says a village district, and I made a suggestion, let's see, the village or colonial look, can somebody get us a conceptual rendition of more precisely what that ought to look like, so we can pass that along in the package to the developer as to what we think, what we think colonial or village concept looks like, give him an artist conception, give him the zoning regs, give him the plan, this is what we want, this is what we want it to look like, when it's developed, now come to us and tell us what you want. That is separate and distinct from what we may do here. This is general yes, but I think the center is so important that we should develop some time just to do the center. That's my general suggestion to you guys.

Ed Meehan: Well, we already have a village district. That was adopted when you adopted your design guide lines from the architect who was commissioned to come up with what is colonial, that the Commission decided not to give people specific hard drawings because everything was all over the lot, but you basically set general guidelines for brick and clapboard and the white trim and you didn't get into you had to have six over six windows, and you had to have different.....

Commissioner Ganley: What does it look like, an artists conception of what it would look like.

Commissioner Aieta: A village district, Wethersfield, they have it around the park, DOT, but they regulate....

Ed Meehan: They have an historic district.

Commissioner Aieta: Right, and they regulate what color you can paint your house, really tight.

Ed Meehan: Right and what happened in Section 13.12 of the zoning regulations, when the town adopted the town center design guidelines you did that under the Village District statutes, the name of the statutes, so now when someone comes in for a building, like say an in-fill piece of property, let's say the property between Roma Tailors and Century 21, they wanted to put a 5,000 square foot building in there, they have to show you that their design of that building complies to what this Commission thinks is what a village district building should look like. You know, it's not like an architectural review board, we didn't set up a separate review board, but it was left to this Commission to look at what the architects and the engineers submitted, compare that to your town center design guidelines, and vote it up or down. Now, if you liked what you saw, or you wanted to work with the developer to get them to change things, that's where the carrot is in your regulations. You can reduce the parking ratio, or you can give them different set-backs, to entice them to improve or embellish upon what the look of the building is. That's one of the concepts in

the Village District, that's number 10. But what you may want to do for number six is just take out the parenthesis, don't lock yourself into something you are not sure of. Permit higher density and building heights depending on the impacts to the adjacent land uses, as may be determined by the Commission.

Commissioner Casasanta: I like that better.

Chairman Hall: I think that's how we have to handle that.

Commissioner Ganley: I had a piece here, I saved this from 2007 Sunday Courant. This is what Glastonbury did, now they have a certain thing that they want to do along their business district, and they have certain architectural requirements and so on, and it's got two CVS pharmacies on the thing. The CVS pharmacy here looks like the one in the center of town, and that is what East Hartford did, Glastonbury said no, you will do this, so that is what I'm getting at.

Commissioner Pane: Well, we could do that, and we've tried to do that, but not all of the Commissioners feel the same way and then we don't get anything done.

Commissioner Camerota: That was also an existing building that they took.

Commissioner Ganley: Excuse me?

Commissioner Camerota: That was an existing building that they put the CVS in, it used to be in a strip mall.

Commissioner Ganley: But this one here looks remarkably like the one in Newington center, does it not?

Commissioner Camerota: Yes it does.

Commissioner Aieta: That is corporate CVS.

Commissioner Camerota: I will say that they have a beautiful Home Depot and Staples because of their regulations.

Chairman Hall: And their McDonald's. You wouldn't even know it was a McDonald's.

Commissioner Ganley: So that is something that we have to pay some attention to, what things are going to look like.

Commissioner Camerota: And their new Walgreen's doesn't have a flashing sign.

Chairman Hall: No it doesn't. In any color.

Glenn Chalder: If I could get back, on page 30, Ed's comments on number six. There were two comments I think that Ed had and I just want to make sure where we were on both of them. The first one to leave what is in the parenthesis, and I think I got that one, earlier Ed had mentioned the concept phrase, east of Constance Leigh Drive, now is that in, or.....

Chairman Hall: That would be out, because it was east for the five height, wasn't it?

Ed Meehan: Well, you could still leave it there. You could say permit higher density and building height dependent on impacts to adjacent land uses on parcels east of Constance Leigh Drive as determined by the Commission.

Commissioner Casasanta: How would that affect the rest of the.....

Chairman Hall: Yeah, I don't want to limit it to east of Constance Leigh.

Commissioner Camerota: I thought that was the point of putting that whole number in there, to kind of give a plan for that area.

Chairman Hall: No, because if Keeney ever goes bye-bye, that whole back lot in back of Keeney that is on the west side, that also could be, or are you just going to consider that, this side?

Commissioner Ganley: No, I'm sorry, the argument at the time we were first batting this thing around.....

Chairman Hall: Was that that was the only open space, but it's not.

Commissioner Ganley: That open space, we were looking at that whole open space, literally up to the front door of the Children's Hospital.

Chairman Hall: Correct.

Commissioner Ganley: So that was what we were considering at the time.

Chairman Hall: Right, but that is not the only open space there.

Commissioner Ganley: I see your point with that. We were talking about, the argument centered, if you recall, around the, what was it, a drug store that was going to go there?

Chairman Hall: A Walgreen's

Commissioner Ganley: A Walgreen's was going to go there and all the problems that were emanating from just having one building stuck on the corner precluding anyone else from going up the street, so that is where that whole thing centered, but you are right, there is a big open space on the other side.

Glenn Chalder: Right now, at this point, I don't have the east of Constance Leigh Drive, is that where I understand the consensus of the Commission?

Commissioner Ganley: Just say Constance Leigh Drive.

Glenn Chalder: Say it or don't say it?

Commissioner Ganley: Well, say Constance Leigh Drive because that would take in the piece on the other side automatically.

Chairman Hall: Because there are two parcels, one on the east and one on the west.

Commissioner Ganley: In fact, that's a beautiful piece on the west side.

Commissioner Camerota: So I think you want to say land uses adjacent to Constance Leigh Drive. Oh no, it just doesn't make sense if you don't have a direction there.

Ed Meehan: Yeah, well, I'll start with, permit higher density in building height dependent on impacts to adjacent land uses, it could be as simple as that, or, as may be determined by the Commission, or I think what Glenn is trying to find out, do you want on parcels east of Constance Leigh Drive? What do you want?

Commissioner Schatz: I don't think the five should be left in there.

Chairman Hall: No, the five is gone.

Commissioner Casasanta: I don't understand why we just don't leave it as adjacent land uses, I mean, I don't think we need to put any streets on there, or anything.

Chairman Hall: Yeah, because what if Northwood Plaza goes.....

Commissioner Casasanta: I think if we get too specific, we could box ourselves into something that we don't intend to box ourselves into.

Chairman Hall: Right. Because somebody might want to go in there, in the future, if that goes bye-bye, somebody might pick it up and decide the only way they can make money is to have a dense development, so if we limit it to east of Constance Leigh, I think we may be shooting ourselves in the foot. I think we just leave it pretty much open, depending on impacts to adjacent land uses.

Ed Meehan: Okay. The operative thing in number six is mixed use development. That's the operative language there.

Chairman Hall: We definitely have some possibilities in the center for that. More than one.

Commissioner Pane: Could you read it one final time for us?

Ed Meehan: For mixed use developments that further the implementation of the town center design guidelines permit higher density and building heights dependent on the impact to adjacent land uses.

Glenn Chalder: You just took out the parenthetical statement.

Commissioner Aieta: And the heights, he took out the five.

Commissioner Pane: You are encouraging higher density.

Ed Meehan: For mixed use development.

Glenn Chalder: I think what might soften it a little bit Ed, is we take the word permit and say, consider permitting, then I think it makes it very clear that it is the discretion of the Commission to balance those two things, impact on adjacent land uses, further the implementation of the town center design guide lines. It doesn't say permit, it says consider permitting.

Commissioner Pane: I agree.

Commissioner Camerota: I like that.

Commissioner Casasanta: It leaves the door open, flexibility.

Commissioner Camerota: The other way, it makes it sound like we are automatically going to increase the building height.

Commissioner Casasanta: And that might necessarily not be true.

Commissioner Camerota: And we could limit it to just saying it impacts the adjacent land uses and not other considerations.

Glenn Chalder: If I could just direct you back to page 28 for a moment then, I think in the box statement, general goals, the third one, I think what I heard the Commission say before is to take out the words, three to four story housing, so it would now read, encourage housing both mixed use and stand alone complexes in the town center to create a sense of neighborhood where access to business services is convenient.

Commissioner Casasanta: Sounds good.

Glenn Chalder: Last question I have for you, Mr. Ganley mentioned the concept really of a study of the town center of some type, if that was something that the Commission felt was important and particularly if we are going to send this off to the Council for their comment.....

Commissioner Pane: We did a lot of town studies.

Chairman Hall: I was going to say, don't we have seven or eight of them that we could go back to the file and check out.

Commissioner Ganley: Something, anything to get us off center with discussions of the center.

Chairman Hall: In some of those, I know we did recently the façade, but didn't some of those studies take into consideration the entire center at one point, including east, including the Children's property?

Ed Meehan: Well, the design guidelines did some conceptual elevations for Constance Leigh, three story buildings, mixed use. We really never have looked at recently the whole center from let's say, FoodMart, Lowry Plaza up to the north side of East Cedar Street.

Chairman Hall: So that what was it, the guy from Baltimore, what was that design?

Ed Meehan: That was a marketing study, the Chesapeake group did, but included some design suggestions, like the center walk concept and pedestrian access, streetscape improvements. You could put it in here, I think what Glenn might be saying is if we are going to someday get this before the Council and a study is commissioned, you need somebody to fund it, and that is the Town Council's decision.

Glenn Chalder: Not only that, but the other part would be if grant funding were to become available or other situations like that, having something like that in the Town Plan might further your ability to get grant funding to support some of those initiatives, so the thought process is, if it is something that you think that you might want to undertake in the future, sometime between now and 2020, might not be a bad idea to throw some language in here.

Ed Meehan: It would be more of a macro, bigger study than the individual municipal parking lot, streetscape, parcel by parcel. I don't think it hurts to have something like that in here.

Chairman Hall: Right the more you have, the more opportunity you have.

Ed Meehan: Doesn't hurt you, that's for sure. So I can try to craft something and see what fits in here.

Chairman Hall: Anything else on the town center?

Glenn Chalder: I think Ed, on number ten the word, the operative word at the beginning is establish but I think you said you have one already so should we make that maintain?

Ed Meehan: Yeah, maintain or continue to implement, or yeah. Maintain I think is a better word.

Commissioner Pane: Ed, there is a small parcel that I think Keeney owns, that is next to the dentist office, just a strip of land there, it's really like no use to Keeney, really. You know what I mean?

Ed Meehan: Yeah, near the stilts building.

Commissioner Pane: Yeah, I don't think it serves them any purpose at all, the town could possibly use that to cut into it for angle parking to increase parking in that area, or a little green area, you know there are a couple different things maybe that the Town could do, maybe we could do something with that.

Ed Meehan: Keeney maintains it well, they let us use it for the Waterfall Festival and things like that. It's very shallow though.

Commissioner Casasanta: What spot?

Commissioner Pane: Right next to the dentist.

Chairman Hall: And the stilts building. Anything else? Streetscape, parking, I think we have kind of taken care of that already so, Residential Development. I just had a question on the map on 33, the whole Candlewyck, Lamplighter, Little Brook area is called highest density residential, yet Rockledge, Cobblestone, and that business on Webster up to Adam Drive is considered lowest density residential. Now I think Rockledge is R-20, the others are all R-12. Is that what you consider to be the highest density? Now I can see the whole Brooks Edge area and Apple Hill being highest density, but I can't see Little Brook, Candlewyck, Stage Coach, all of that being highest.

Glenn Chalder: I think this is our mapping issue here and I apologize because I absolutely see what you just mentioned. We took this zoning map and the designation that was residential design which is what we just categorized as highest density because it could provide certainly for multi family designation. I don't think that is correct at all, and I'll work with Ed and decide whether that should get thrown into lowest or moderate density.

Chairman Hall: It's probably moderate because it's the R-12.

Ed Meehan: I think what they did there, when this was developed, in the '70's, it was a cluster development where the lot size was reduced from R-20 to R-12 and so the little squiggles in and around these lots are town open space. On Brooks Way and Sunny....

Chairman Hall: Brooks Edge, Sunny Brook.....

Ed Meehan: Are the only multi-family down in that area.

Chairman Hall: Oh, Apple Hill.

Ed Meehan: Yeah, Apple Hill is already.....

Chairman Hall: Apple Hill is on the other side of Rockledge, so that's in highest, so that's okay. Then all those, it's the second street when you come in, you can see the density in there. So that middle section, is it PD?

Ed Meehan: Residential Plan. I'll have to carve this out for you, Glenn.

Glenn Chalder: It's our mistake, I apologize for that. Nice catch!

Commissioner Pane: I have a couple of things, I don't know if it's in this area or somewhere else, Ed, but I think you have in here, I thought I read it that you encourage finding a Park and Rec area on what, the eastern side of the Berlin Turnpike. You know that is something that we have had in the plan for some time and I don't know whether or not we should keep it in there. We have small, I think maybe we should encourage small community recreation areas, but to find an area for the town, when we have Churchill and the town Parks and Rec can barely take care of everything that they have now, to find another big park for that side of the Berlin Turnpike just doesn't make sense, so I think we should encourage small recreation areas for small residential areas but we shouldn't encourage a large recreation area for that whole side of the town.

Ed Meehan: That's over on page 44, I don't want to jump ahead too much, number seven. This may have come from Parks and Rec when we did our questionnaire survey.

Commissioner Pane: It was in our old plan, too.

Chairman Hall: I think that was the one that was behind DOT that went up to Kitts Lane, and then when they really looked at it they realized that the slope, very rocky and would be very hard to develop and maintain.

Commissioner Ganley: The one back of Candlewyck, that used to be a playground for years.

Chairman Hall: Well, there is a playground that abuts Barn Hill.....

Commissioner Pane: That's just a small community playground.

Chairman Hall: That was part of the original development.

Commissioner Pane: And there is one for Barn Hill too.

Chairman Hall: Well, that's been turned over, that's the same one.

Commissioner Pane: Okay, but there's one for Little Brook, okay, and I think those are nice little community park areas, for the neighborhood areas, and I think we could encourage those for that development over on that side of the turnpike. I think we should limit it to that.

Chairman Hall: At one time they were trying to partner with the Y from Wethersfield and create some development on Kitts Lane that backed up to DOT. As a matter of fact, I think part of the deal with the DOT approval was that they were going to donate and get something going for recreation.

Ed Meehan: Opportunity sites, twenty-one and twenty-two, twenty-one refers to the eleven acres up in back of ConnDot, which fronts on Kitts Lane, and as Cathy says, that is rocky and steep, and number twenty-two refers to the acreage on the corner of Griswoldville and Deming, the eleven, twelve acres on the corner. It's fairly flat, it used to be part of the Peckham farm. Those are the two sites. I don't recall if this came from Parks and Rec. We did a survey of all the departments, Bruce Till may have put this in, or like you said, it was in the prior plan, something on the east side of the highway was in the prior plan.

Chairman Hall: I think that was also prior to the acquisition of the extra Churchill Park area, and once they expanded that it seemed.....because they were thinking also of some extra playing fields or whatever over there. That will never happen in that topography over there. No way.

Ed Meehan: You may want to cull that out.

Commissioner Pane: Something to think about. The other item that I had was I brought up last meeting was possibly creating a new zone, an R-40 zone or something with a lower density housing, a step up from our R-20 for some parcels in town. I'm just throwing it out there, whether or not anybody else is interested in creating something like that.

Ed Meehan: For that, were you thinking like the ridge line parcel? Balf?

Commissioner Pane: Yes, that would be low impact on the land, you wouldn't have to chop a lot of the hill down, you could build it into the hills, it would, you could spread the housing out because of the large parcels, large two acre parcels so you would have a lot lower density, you know, the lots would be a lot more expensive, in order for the developer to make it work, but I think that eventually there would be a market for that. Now you have low impact on the roads, low impact to the town, low density and you create a lot of the landscaping, the natural boundaries still remain all intact, because you are doing low impact to the development. You don't have to blast as much, you don't have to cut into it as much, and you build it into the surrounding landscaping. Just a thought, for that parcel, and maybe take that R-20 that is part of Balf and change that, and there might be a couple of other areas. I wouldn't suggest doing it just to one parcel, but I would suggest looking at a few parcels and doing it and creating that larger lots.

Chairman Hall: Put it in as a consideration just as we did for the town center, consider such and such, consider expanding the zone to be larger than our current R-20, because R-20 is as large as we go. The R-40 is an acre, the R-20 is a half.

Commissioner Pane: You're right, the 20,000 is a half acre.

Chairman Hall: Right, in zoning, R-40 is an acre.

Ed Meehan: Would you do something like, consider optional hillside lower density development of X amount, 40,000 square foot per lot?

Commissioner Pane: That was my idea.

Chairman Hall: And you could also again, although you can think of an office park over off of Fenn Road, that is another parcel that could possibly be, because again right now if you have somebody that wants to go in there, make it a little bit bigger.

Commissioner Aieta: The property off of Route 9?

Chairman Hall: Mongellow, Reddick property.

Commissioner Aieta: That's a big piece, isn't it?

Chairman Hall: It is, it's huge.

Commissioner Casasanta: I kind of like that concept, actually.

Chairman Hall: That is something that we don't have in town.

Commissioner Camerota: And I think it is something that is desirable.

Chairman Hall: Well, it certainly helps with your values.

Commissioner Aieta: Up on the ridge it would be greatly desirable.

Ed Meehan: So how do you want to structure that, in the residential development area.....

Chairman Hall: Right, consider.....

Ed Meehan: Housing opportunities, add it to the housing opportunity list.

Glenn Chalder: I drafted something, consider establishing a lower density zoning designation such as one unit per acre for the areas east of, I think it's Mountain Road, right, is that Mountain Road?

Chairman Hall: Pretty much.

Glenn Chalder: So I think, what I'm trying to do here is not get you tied into a minimum lot size designation, which might be a rigid development pattern, but talk about something like one unit per acre, and allow it to be flexible so it could be adapted to the characteristics and it doesn't say do it, it says consider establishing, I think it sets the stage for that type of flexibility in the future and lets other people know that this is the general direction that the Commission is more interested in seeing.

Ed Meehan: I think it's good to keep it flexible so you are not gridding something up in one acre developments, because, to be the devil's advocate, there's different philosophies in land use planning, where if you reduce density, you increase road length, but in the end your development pattern chews up the land, whereas if you work with the topography, say you still have an acre, or a 40,000 square feet requirement, you pick the spots where the house and the street fit best. You cluster, or you don't cluster, or you spread things out, I think that is a concept that you could put in there.

Chairman Hall: Again, I don't think I want to limit it to just that hillside, I would like to leave it flexible enough so that if a parcel becomes available in town, we can consider it in any spot that is big enough to accommodate it.

Ed Meehan: So we won't say hillside, just say consider lower density, the language that Glenn had.

Commissioner Aieta: Yeah, that leaves it so that we could look at that other parcel.

Chairman Hall: Anywhere.

Commissioner Ganley: Page 8, Housing Affordability, again page 32, general goals, Housing, Types and Sizes. That goes to density once again, but that goes to higher density than what we have just discussed. I read both of those things, I drove around town a little bit, as I do, and one of the ways that we could probably get in some affordable housing is to take a good look at some of the lots that don't meet the requirements by probably a dozen maybe fifteen feet, whatever, and allow for a house on that parcel as long as the architecture, the look of the house is the same as the neighborhood, and I've got some examples. I don't know precisely when it was done, but there is a house, just one example right off the bat, very visible, on Wilson and Moreland, there is a single home, and it's on Moreland, but if you go around back there is a detached one car garage. It's a nice looking house, it is small, it's a two story, but it fits on an otherwise small lot.

Chairman Hall: Look how close it is to the one in back of it.

Commissioner Ganley: But they made it fit is the point I'm making.

Chairman Hall: Yes they did.

Commissioner Ganley: That's the whole point

Chairman Hall: But, do we want to encourage that?

Commissioner Ganley: Well, you may, in order to get some semblance of this affordable housing issue which we are going to be wacked with, if we don't do something about it, that may be one of the ways to do some scattered affordable housing by giving them six feet over here, eight feet over here so that they can get the house on the property. I've cited a couple of examples, one is in my neighborhood. It's up on Forest, it's a small house, but it was a pie shaped lot and I could see it from my front lawn and they made it fit on the lot, and it's the smallest house on the street. It's a two story house, all the rest are capes and ranches, it's 21 Forest, I took a walk around it. There are all big houses up on Forest, this is a small house, but it fits right in because of the way that it looks. There are other lots around town in residential neighborhoods that are probably a little bit here, a little bit there, but you can get a house that is precisely like the house next door, architecturally, but would fit on the lot and somebody could buy it and live in a very nice stable neighborhood, with a good looking house. So, that is one of the options we may consider, and you get some utility and some tax money out of an otherwise useless lot.

Commissioner Pane: Ed, when I was Chairman, we looked at that extensively, and we came up with a report on that, and.....

Ed Meehan: The current plan has it in the housing components called working lots, was the terminology created by Attorney Shipman, and eventually it was in our regulations as residual lots, where by special exception a property owner can present to the Commission these odd ball pieces that, when Newington was plated back in the '20's, there were maybe fifteen foot frontages and they put them together and then they split them, and it's not a legal non-conforming lot, doesn't have that protection of a legal non-conforming lot. There is some unclarity as far as how it came into being, and there are not many of these. We did an extensive GIS survey, and most of them are down in the settlement area, Bonair and Cambria and all that section down in there and there is a procedure for it to happen. We were challenged in court, an appeal was taken and it was over the property on Vivian Street. Famous Vivian Street property. The neighbors challenged the approval, the house was already up, the person who acquired it never got a Certificate of Occupancy, and they tried to block it. Long story short is, the court ruled in favor of the town, but they required us to go back and clarify some of the language, and Attorney Boorman, town attorney at the time did that, so we have that in the regulations now. There are probably a handful that may qualify.

Commissioner Pane: Now that that was brought up, the way that the town was plotted years ago, and the way that it was cut up, unfortunately it left some lots with deep lots so, to take care of that problem, we used to have rear lots, okay? And that rear lot was in the regulations since, forever, and I know that recently it was taken out, and I've got to wonder whether or not it's fair to some of those, there's only a handful of them out there, because it is hard to get the true rear lot to conform with the regulations here, because it has to be a certain size and everything, and I'm wondering whether or not this Commission should re-look at that, because some of these rear lots, they were plotted and they were cut up that way, from the beginning and so it is sort of a hardship the way that the land was cut up, years and years ago and that is why we had that in the regulation. I don't understand exactly why the TPZ took that out of the regulations. I know that they had a difficult time with one, and I don't know whether or not it was taken out for any other reason beside that.

Ed Meehan: Well, the few that did come to public hearing over the period before that was removed, a lot of the neighbors were criticizing the opportunity to develop the rear lot because they felt it was overcrowding the property. There was one on Church Street, there was one down on Meadow, there was one on Richard and the neighbors came forth at the public hearing and said, we have enough density in town, now you are sticking somebody in behind somebody else.

Commissioner Aieta: But they have been doing that for fifty years.

Ed Meehan: Yeah, but we didn't have the density that we have now, fifty years ago and what was happening was, and I don't know exactly what the whole history was, but the guy in front was selling his house, he was moving out, he was grabbing sixty thousand for the rear lot and leaving. He didn't care.

Commissioner Aieta: But did it meet the requirements set forth in the zoning regulations?

Ed Meehan: It did. The geometry met the requirements.

Commissioner Aieta: The problem is that you, for so many years you allowed so many people to take advantage of that, and then all of a sudden you said, you shut it off, so the handful of people who are left are saying, gee you got your piece of cake, what about me, now you just shut it off arbitrarily because you had a problem with a couple of pieces. This board can't regulate, can't zone, you know, someone comes in we have a problem with, you can't take the position, well, to get rid of the problem, get rid of the regulation and you make it a restrictive zoning regulation, it's not in there, it doesn't exist. You can't take that position, and that's the way this board acted in the past, there's a couple of things that came in that were tough things to look at, tough decisions, so they made the determination well, we don't want to deal with this ever again, so they took it out of the regulations.

Ed Meehan: The attorney said, if you don't want it, don't fool around with a special exception requirement because to try to defend the special exception and deny it based on subjective non-conforming with the abutting properties, or not in harmony with the area is not a strong enough decision, so if you don't want it, take it out. So that is the policy decision that was made. There may be a couple, I don't think that there are even any left on Maple Hill any more.

Commissioner Aieta: I think over on the east side, those are the long, long lots.

Ed Meehan: That was one of the controversial ones, but most of those have either been subdivided out or gotten special exceptions.

Commissioner Pane: And we improved the regulations because it had to be twice the size of....

Ed Meehan: One and a half.

Commissioner Pane: One and a half the size of the front lot.

Commissioner Aieta: A good example of the rear lot is the one that you are talking about on Richard Street. Did you see the house that they built on that lot? It's probably the nicest house in that section of town.

Ed Meehan: Did you see the house in front?

Commissioner Aieta: Yeah, well the guy who built the house in front owns the house in the back, and the one next door. You look behind it and you say, wow, the Taj Mahal.

Chairman Hall: They are nice. How about the one on Kelsey Street that they kind of put in?

Commissioner Aieta: Yeah, how did, that had to be a non-conforming lot, that's only a fifty foot lot.

Ed Meehan: On Kelsey Street?

Chairman Hall: On Kelsey Street.....

Commissioner Pane: They started digging on one, and then they moved up and started building a house.

Ed Meehan: One was stopped.

Chairman Hall: It's all framed.

Commissioner Pane: It was stopped, and they left it the way that it is?

Ed Meehan: Yeah, there is a court issue with that one.

Commissioner Aieta: The one that is built already, the one that is all framed, and up, there is an issue with it?

Ed Meehan: No....

Chairman Hall: No, it's the one that is the hole.

Commissioner Aieta: Oh, the one with the steam shovel on it?

Commissioner Pane: No, they moved the steam shovel but the one that the steam shovel used to be at.

Ed Meehan: It's a policy decision, if you want to get into rear lots, but I think the issue is, how do you make these affordable? Is there, you won't get credit for affordable housing because there are restrictions.

Commissioner Pane: I don't think we will ever meet our affordable, our technical affordable housing thing and I don't know whether or not we should really worry about it. I was just bringing up the fact of the rear lots.....

Chairman Hall: Right, well we started with affordable, we've gone to rear, and how do we want to fit this into the plan?

Commissioner Pane: I'm wondering if we should just take a quick look to see how many lots it affects and whether or not, what kind of handful of numbers are out there for rear lots, to see if the board wants to look at that, or not.

Ed Meehan: Well, I don't know that you need to put that in the plan, that's more.....

Commissioner Pane: No, I'm saying before we put that in the plan, maybe you can do a quick little survey to see what it is for the next meeting.

Commissioner Schatz: I wouldn't vote for it.

Chairman Hall: We're not voting tonight, we're just doing the plan.

We are up to thirty-four and thirty-five at this point, talking about an incentive housing zone also, special exceptions. That is a whole different way of looking at things too, it's not necessarily just affordable, it's not reduced density, or increased density, there's a whole process for incentive housing. Want to briefly talk about that if some people don't know what that is?

Ed Meehan: Yeah, well there are statutory provisions that communities like Newington under this language gets credit for by doing incentive housing developments, incentive zone housing. But at least twenty percent of it has to be restricted for affordable criteria to get that credit.

Chairman Hall: Those are HUD guidelines, right?

Ed Meehan: Those are your standard HUD, fair market rent, sales limits, CHFA sale limits usually apply and if you had a town house development of forty units, you would have to have twenty percent be deed restricted to get that criteria. Some communities are treating these like floating zones, where they depend on the characteristics of the underlying area. If you meet those characteristics, the standard would apply. That doesn't occur until a project comes in before you and then you grant the special exception, so we're not free zoning anything, which is one advantage, so you reserve that leverage on a piece of property, but it's something that we have not had in the Newington zoning regulations. We've steered away from it. We've only had one affordable case, under the Affordable Housing Appeals Act, we lost it. We did a consent order on Griswold Hills, we got a little bit back, the developer got a little bit back, but we lost the affordable case and as Domenic is saying, we don't even come close to our ten percent affordable ratio. We have maybe five or six percent of the housing stock is considered affordable. That is because they count units that are restricted by deed, or CHFA financing. We have 12,000, 13,000 units, not ten percent of those are affordable. I think, for a statutory requirement, Cathy and I were talking about this yesterday, that the plan, if you look at the list of things that your Plan of Development is supposed to have, affordable housing is on the list. You are supposed to be making some effort, through your Plan to guide the development of affordable housing.

Commissioner Aieta: We have so little land left to build affordable housing. Where would you even put it?

Ed Meehan: I think that the next ten years in this plan, this is, a lot of this is going to be recycling, or opportunity sites that are here, maybe you can do some affordable in conjunction with a transit oriented development mixed use site. Or maybe you do some affordable housing in the town center where the Hartford Hospital has the former residences for the interns and the doctors, between Cedar Street and Patricia Genova Drive. There is housing there already. If you do a

hundred units there, you do twenty affordable units, a developer comes in and does that, but I don't think you should be silent on it in this Plan. You need to give some policy guidelines as to what you think you want to do for affordable housing.

Chairman Hall: We also have to keep it in for federal funding too. Because if we don't have it in our Plan of Development if a developer or even the Town goes to try to get some kind of a grant, we don't have it, counts against us.

Commissioner Ganley: But then we have to do it.

Chairman Hall: No, no you don't.

Commissioner Pane: We have to consider and make provisions for it.

Chairman Hall: Just like the R-40 doesn't mean we have to do it, so we made provisions for it.

Commissioner Ganley: But someone is going to build these units and now will have to have twenty percent affordable.

Ed Meehan: Well, they could come in right now and say.....

Commissioner Pane: We can't kill it by law anyway, so.....

Commissioner Casasanta: Can you consider "establishing?"

Chairman Hall: It's just establish criteria for the inclusion of at least twenty percent, we are establishing the criteria, we are not establishing.....

Ed Meehan: The location or the geography of it.

Commissioner Pane: Some of these sites would be 1,9,13 and 18 on the maps, I don't know which areas those are.

Ed Meehan: Let me tell you what those areas are, one is Newington Junction, nine is National Welding transit orientated development, 13 is Hartford Hospital and 18 is Cedar/Fenn. South of Cedar/Fenn, over by Central Connecticut, the Marshall piece. It's sort of all out of the area of your standard single family area.

Commissioner Pane: None of those are in the town center though.

Chairman Hall: No, we're out of the center, this is just zoning for all over, housing opportunities.

Commissioner Pane: It says, develop within the town center.....

Commissioner Casasanta: Adjacent to the Berlin Turnpike.

Commissioner Pane: I don't know if we want the town center in there because it's really not in the town center.

Chairman Hall: The Hartford Hospital one is the town center, adjacent to the Berlin Turnpike is the.....

Commissioner Pane: I don't think we should have the Hartford Hospital piece on there. I agree with the junction, the other two junctions and the Marshall piece, but the Hartford Hospital piece, across from our town center we should, I don't think that should be one of the areas.

Ed Meehan: That is listed as number thirteen.

Commissioner Pane: We want something better, we.....

Commissioner Kornichuk: But he mentioned back farther, where the doctors used to.....

Commissioner Pane: That whole piece, I think we want something nice for that and I don't think that is one of the things that we should have in that area. We want some retail, more retail with some residential units above it, or something like that, but we don't want multi-housing, high density affordable housing right there.

Ed Meehan: It wouldn't have to be one hundred percent affordable.

Commissioner Pane: Still, I think the other three pieces are perfect pieces. The Marshall piece is a nice piece right next to Central.....

Chairman Hall: So we have to get that out of there, so adjacent is gone, within the town center, I think the consensus is that we prefer not to have it there, but transit development areas would be great because we have Newington Junction, we have National Welding, and the Marshall piece, that's plenty.

Commissioner Pane: Which the Marshall piece is south of Fenn Road, would be adjacent to Central. I think those three pieces would be fine for that.

Ed Meehan: Okay, then I'm taking out the reference to thirteen then.

Chairman Hall: Right. Okay, any others: Business Development? I was surprised to find out that Churchill Park used to be industrial classification. That was news to me.

Ed Meehan: Yeah, it was part of the old I291.

Chairman Hall: We did actually mention the 291 parcel and I'm trying to remember why, because I thought all of that 291 property is now either park land or.....

Ed Meehan: Over on page 36, it says, promote the development of the former 291 corridor, that's the Central Connecticut East campus.

Chairman Hall: Oh all right, that part. That's farther up than I was thinking.

Ed Meehan: It's probably 120 acres in there.

Commissioner Pane: On Main Street, where the town dump is, does the town own all the way to the residential house there?

Ed Meehan: South on Main?

Commissioner Pane: No, towards the Berlin Turnpike. There's a residential house, how close does the town own to that.

Ed Meehan: We own right up to that Grabowski property.

Chairman Hall: But they have a lot in the back that they own too, on that pond.

Ed Meehan: Yeah, it goes all the way back to Foxboro. That used to be I291 and we, that state gave it about five or six years ago. That piece and the piece between Maple Hill and Willard behind Emanuel Baptist was conveyed to the town. It was a turnback.

Commissioner Pane: If that land in the front there, between Churchill and that house, if it was closed off, would the town still be able to access the area in the back through the, Churchill. Where the vegetation dump is, would you be able to access that down through Churchill Park, the rear of Churchill Park?

Ed Meehan: Yeah, you would have to go through the park and up through the tennis court area.

Commissioner Pane: Back there, but it's possible you could create another entrance down there. I'm wondering whether or not the town should look at an opportunity to clean up the front of that and since our long range plan is to reduce the dump, clean it up, and have just a transfer station it won't be very much of an impact on the residential area. You could convert that land in the front to some nice residential houses to clean up that. It's an asset to the town, and you might be able to get three or four lots. Then, have a nice buffer and then still access your vegetation dump in the back and then you'd still have that vegetation and the transfer station as an expansion of Churchill for the long range.

Ed Meehan: I don't know what the restrictions are on that piece, because that was I291 land that was given to the town for recreation use.

Commissioner Pane: Even where the vegetation is?

Ed Meehan: Yeah, and the deal was that the town was supposed to fill it, do a closure plan and convert it to athletic fields and we are under orders now from DEP to do that closure plan. We are talking about, we have a closure plan with grading and capping it, we have an access road from behind those tennis courts, they have been working with two or three cell company vendors that want to put a tower there, and we said, we don't want you coming in off of Main Street or through a transfer station disturbing public use for a cell tower, so that is a hot area now for cell towers. There are probably two or three looking at it.

Commissioner Ganley: Bob Stanley has a master plan up in his office showing that whole vegetation area, soccer fields, ball fields, and it was up in his office. It may very well still be up there.

Commissioner Schatz: Will the tower interfere with the migration of birds? This is what is happening at the Cape.

Ed Meehan: I don't think so.

Chairman Hall: Page 36, east of the town center....

Commissioner Pane: I have another couple of comments and I don't know if it is in this area and I'm just going to spit it out because I'm not sure where it is. In the old town plan Ed, we had a section on safety, road safety, if you remember there are some dangerous areas, one was on Church, there was one on Deming, the S-curve on Pane Road, and the old town plan identified those areas and some of them you couldn't do much with them, but encouraged proper safety

items, markings and things like that to keep them as safe as possible. I don't see that in the new plan.

Ed Meehan: If we are going to do that, we should cover it under the transportation section on page 46.

Commissioner Pane: I just wanted to bring it up before I forgot about it.

Ed Meehan: That is where that Maple Hill, Cedar, Alumni realignment, you are right, we had Deming and Culver in there, and we had a few other....

Commissioner Pane: And now, before I forget, there was an accident over on Willard and Pascone, Pascone is right at the bottom of the hill.....

Ed Meehan: Louis?

Commissioner Pane: Right after Stonehedge.

Chairman Hall: Louis and Willard.

Commissioner Pane: That is a dangerous area, the traffic coming down the hill and at some time in the past I remember a request for a signal light in there.

Chairman Hall: Yeah, it's coming. By July or August I've been told because they did the box about a week ago, we're that close. That's terrible.
Okay, back to thirty-six, thirty-seven, because we fit into forty-six the question that he just had, right?

Ed Meehan: Right.

Chairman Hall: Anything else, turnpike business, neighborhood business area? Is this where it talks about the home businesses? There's thirty-eight. Any questions, comments, all this is pretty straight forward.
Getting into infrastructure strategies, general goal to provide quality community facilities which are well maintained and accessible to all residents.

Glenn Chalder: On the map on page 43, item 32, Newington Golf Course, that's not a community facility really in the truest like municipal sense, that's Indian Hill, right? That should come off the map?

Ed Meehan: Or you could put Indian Hill Country Club after it.

Chairman Hall: The town owns it.....

Commissioner Pane: Maybe encourage more of a community atmosphere, access, yeah, I think that should be encouraged.

Chairman Hall: You have Monday afternoons if you are over fifty-five, come on now.

Ed Meehan: Do you want it on the map?

Glenn Chalder: I think now knowing that it is town owned, but leased to, I think it should stay on the map, but the note should say, leased, Indian Hill Country Club and let it go.

Ed Meehan: I did have a request from the library in this section to add, you know how we had bullets for education, parks and rec, is to add one for the library because they have a plan for an addition to the south side of the library as well as, they acquired the two pieces across the street, to expand parking and they would like to represent that in the plan as part of this government center area.

Commissioner Pane: That's a good idea, but I would encourage it that they add a sufficient amount of parking so that we, as a town, can get some parking back, so we can gain some parking back at the town building here.

Ed Meehan: One of the concepts, this was all done kind of quick, back over the winter when we were all asked to come up with stimulus package proposals, so they are showing a very optimistic expansion of the library, but the realistic part of the plan is to build, add onto the parking which is already on Garfield Street, and bring it about two thirds up Mill Street. So if they do turn the library, the entrance would face south, so their parking would be directly in front of the library. What we are looking at, we wanted to create a campus atmosphere here between the library, the town hall, the police department, if that ever happens the library patrons would be on, let's call it the east side of Mill Street, they wouldn't have to cross Mill Street, there might be an opportunity to open up the entrance from Cedar and bring people off of Cedar and have a traffic calming, some traffic calming coming in here because they wouldn't be cutting between town hall and the library. The library patrons would have direct access from this side, town hall people would have access from this side, when there were large events, we would have parking for both. The caveat to that is we have to be able to control the yahoos who cut through here at forty miles an hour, so we have to come up with some traffic calming, maybe one way traffic.

Commissioner Pane: Or two way with speed bumps or something there, whatever.

Ed Meehan: The way that the signal was designed, the signal was set up that way when it was designed for that opportunity so that will be something that I'll work with Glenn on and put it in the plan. It may happen within ten years.

Commissioner Pane: I wouldn't want to see one way, I think it should be two way like it was, as long as the people aren't parking there and walking across the street and the library has sufficient amount of parking and they are all staying on their campus area, then I think it will be safe enough to open it back up.

Ed Meehan: People who come to town hall, if they have never been here before, I know from your experience Glenn, you type in 131 Cedar Street and they give you directions from Cedar Street. You get here and you can't get in. We've tried to change that on Google Earth, we tried to change it on MapQuest.....

Commissioner Camerota: Well, people can't find the library either. I forget what I was doing one day and someone was asking, she kept driving around, she couldn't find it.

Ed Meehan: It's dangerous. You get out there, you slow down and you see it, but you can't get to it.

Chairman Hall: You would have to change the address to Mill Street in order to do it. That's the only way you can do it, because 131 Cedar is going to show the front of the building.

Commissioner Pane: I would encourage that.

Ed Meehan: That's something that we will work on, I'll make sure that Glenn and I discuss that.

Chairman Hall: Okay, Overall Maintenance, Public Works, Community Services. Did you see that little one, number 13, transition to a career from a volunteer fire department which has been talked about over the years.

Ed Meehan: This comes from, we circulated questionnaires to Boards and Commissions and Department staff, this comes from fire professions, obviously. Is that something that you feel appropriate to your plan?

Commissioner Pane: I think we should avoid this at all cost.

Chairman Hall: Yeah, I think.....

Commissioner Pane: To show you how important this was, I have a town plan, and I think it is back in 1959, was the first one, and that was one of their major concerns.

Commissioner Aieta: Which was what?

Commissioner Pane: The fire department.

Chairman Hall: Paid fire department.

Commissioner Pane: Paid fire department in '59. That was their major concern, they did not want one, they wanted to make sure it stayed volunteer.

Ed Meehan: Well, things have changed. From a planning point of view, is it land use related? It's community services, community safety, but again.....

Chairman Hall: I don't think it's land use. They have their facilities.

Commissioner Casasanta: How would that impact us?

Ed Meehan: It impacts the town.

Commissioner Pane: We should be doing things to encourage and continue to encourage a volunteer fire department and whatever we can do to help them out to keep it that way, whether there are additional things we can do to help the fire department I think we should lead down that path.

Chairman Hall: I'm not sure that they share that sentiment. I think they are looking to go more towards a paid, I just don't see that it necessarily belongs in our plan.

Commissioner Casasanta: I would just strike number thirteen off the list.

Commissioner Ganley: What does it have to do with land use?

Chairman Hall: Unless they are talking about expanding their fire houses.

Ed Meehan: The template for the location of the fire houses, the stations that they have is fine. They are located spacially, they have access to the parts of town that they need to get to, three needs to probably be expanded some day, if they are going to replicate what was done down on Richard Street. The only thing that I had a discussion with the Fire Chief about is if the land use changes, particularly the north end of town, around West Hill, they need a bigger station. That is where the heavy industrial uses are, Day Street, Francis, Shepard Steel, all that stuff is up there,

and they have a two bay garage sitting there. If you get transit oriented development there in ten years, so you need to complement that with some sort of fire service, it doesn't have to be a professional office, but from a land use point of view, it could be a larger fire station.

Glenn Chalder: If I may, I think we should strike thirteen, but replace it with something that may be as follows, monitor the changing needs of the fire department given potential land use changes. I don't think there are any land use implications over the transition from volunteer to paid and whether or not that happens is outside of our jurisdiction. On the other hand, if there are land use changes from TOD's and other stuff that does change their needs, then there might be a land use implication. I think that wording would do it for you. Did we do anything on page 44, number seven? We talked about that earlier, but I wasn't sure what you wanted to do with that.

Chairman Hall: I think we were going to get rid of that.

Commissioner Casasanta: Yes, scratch that.

Chairman Hall: We don't think it's feasible.
Okay, transportation. The biggie for me is number seven.

Commissioner Aieta: You are in favor of that?

Chairman Hall: Absolutely, should have been done back when they talked about it and had plans for it.

Commissioner Pane: I think that is really urgent and should be done.

Commissioner Aieta: How do you do it now when they have the houses there?

Chairman Hall: It's supposed to go behind, and they knew that when they bought the houses.

Commissioner Aieta: Okay, so they realize that.

Chairman Hall: Absolutely.

Commissioner Pane: Traffic has gotten so out of hand on Willard Avenue because of the industrial development over in that park area, where the old factory is, that, and there have been a lot of new tenants over there and when the skating rink came in, we had conditions that they couldn't expand too much and I'm really, we really missed the boat there because we really should have been more strict on getting that road opened up, and as a matter of fact, the skating rink and that developer were supposed to pay for that light.

Ed Meehan: At Cedar and Maple Hill?

Commissioner Pane: Yeah.

Ed Meehan: They were willing to pay for it, but they needed to acquire land to do it and the state said, well the state wouldn't make them put a traffic signal in because it was beyond their control to acquire additional land. They don't have eminent domain.

Commissioner Pane: Even if we have to put a traffic signal in there that is not the optimum that they want, I would encourage one to go in there. It would be, they could still put a traffic light in there and have the other one that close, I mean, it could be done.

Ed Meehan: Well, the traffic engineers have different opinions on that, but I think you ought to keep this in the plan. The only caveat I would add either to this number seven or someplace else if Cedar to Willard is opened, through Newington Business Park, there ought to be some consideration of the amount of traffic that is going to go between the parking for the high school fields and the actual crossing of Alumni Road. One thought was to curve Alumni Road so that the parking and the fields were together, if you follow what I am saying. Just fix the alignment so that you don't have people crossing on a street that is probably going to carry between fourteen and fifteen thousand cars a day. That's going to be a popular by-pass.

Commissioner Pane: But they usually have those, those are events that are late afternoon.....

Chairman Hall: Yeah, three to four o'clock could be a tough time.

Commissioner Pane: You are moving that quite a bit then, that road aren't you?

Chairman Hall: I think they were going to realign the fields more than the road.

Ed Meehan: They were going to do a little of each. It wasn't anything really engineered on this yet, it's more of a concept of separating pedestrians from this roadway, and it came up years ago at Churchill Park and New Britain Avenue.

Glenn Chalder: You have space on page 48 Ed that if you thought that it was useful to do a blowup of this Alumni Road area to show the road re-alignment plus the intersection re-alignment and Maple Hill, we could put a little graphic in here, so if you want to sketch something up for me off of town aerials or Google Maps, or something.....

Ed Meehan: We probably have some maps for that.

Glenn Chalder: I'm just saying it can't be a big one because you don't have a lot of space here, but on the other hand, these concepts could be helpful to illustrate.

Chairman Hall: I don't know how likely it is, under pedestrians and bicycles, if we could have something with the idea of creating bike trails at some point in time, whether it be on our greenway or even around some park area or whatever. We have absolutely no place in town to ride a bike.

Ed Meehan: We tried to get that into trails, isn't there a map where we have trails? If you look on nineteen, possible open space corridor, see that, a combination of sidewalk, roadway and going over public land.

Chairman Hall: Right, but I don't ever see the words bike trail in here anywhere. So under here, pedestrian and bicycles, to consider, or whatever the development of bike trails.

Glenn Chalder: What I would like to suggest, if we added a new number thirteen in there, and maybe it would read something like as follows, strive to find ways to develop a bikeway, bike trail system in Newington. We have some success out in Tolland, I know that you have the Newington Bike Shop, out in Tolland they have the Tolland Bike Shop, they ride every week. The riders got together and documented the bike suitability of every road in Tolland and if the people at the bike shop were to get people together to do the same thing for Newington, it really starts to set the stage in terms of how to stripe roads, sign roads, and create knowledge about local roads and that language might get that started.

Commissioner Camerota: They do have rides like certain nights.....

Glenn Chalder: But they don't inventory.

Commissioner Camerota: No they don't, but....

Glenn Chalder: And that is what Tolland did, they took the energy that they had on the rides and asked them to do one more thing and it became just a great thing.

Chairman Hall: Utility infrastructure. Water and sewer, where would we be without it? There are surprisingly number of areas in town still without public water, and areas that you wouldn't think.

Commissioner Aieta: When they come in for development, or re-development we have to strive for them to connect to sewer and water.

Chairman Hall: Right. Future land use plans, very important.

Commissioner Pane: Is the plan, is the new plan going to have this type of binding, or are we, is this temporary?

Glenn Chalder: This is mainly for this, you had the same problem that I had, the cone is too small.

Ed Meehan: Let's see what the pricing is on that.

Glenn Chalder: There is also perfect bind, and all sorts of options here.

Ed Meehan: This is where all the components, all the pieces get reflected.

Glenn Chalder: On the map on page 53, there is one thing that is missing that you would normally recommend for inclusion and I see it on the map which is over here, which is the natural resources. The natural resource constraints are really a very light green on here, and you almost don't even see them in the middle of the residential neighborhoods, wetlands and steep slopes and etc., and I just think some of the discussion that you have had about that, we want to juice that green up a little bit, so at least you are aware that that exists.

Ed Meehan: How are you going to do that? Are you just going to make it a different pattern of green?

Glenn Chalder: Just a slightly darker green, I mean, the challenge that you always have on a map like this is the number of categories and colors but if people really want some of the detail, we urge them to go back and look at the preceding maps which all come together to create this map, so we want it to be as informative as we can, but also legible.

Chairman Hall: With this one page, and I know it's probably a cost factor, but if we had the map of Newington and then had the transparencies with the different colors, so let's say you wanted residential density, you put that overlay, and then you wanted to do industrial, then you would put that one over so that you actually layered it, sometimes that stands out a little bit better, but again, I don't know about the cost.

Glenn Chalder: The problem, we've done that in the past, the issue tends to be one of registration. It's very hard on a photocopy process and particularly on a binding which isn't a perfect bind or whatever to keep everything registered. You don't always get the sequence that you want, so for example if you just want natural resources, how do you get that, because the sequence isn't there, so we haven't figured out a perfect solution to that situation yet. Our best

use of the acetate overlay has been black and white, so on a number of plans that we have had an opportunity to work on, the trails for example which on here are sort of a pinky, fleshy color, that becomes an acetate overlay and then you really get a chance to get to see that, but particularly on the lighter colors, yellows, oranges, the acetate doesn't really work that well so we'd be happy to try to play with it with you, and try to make it work, but it can be a challenge.

Chairman Hall: Okay, thank you.

Ed Meehan: Just want to call your attention to, back on this hillside area, and the twenty-eight acre piece, it is shown as a business, general business zone. Is that the desire here? That is one of the biggest vacant pieces left.

Commissioner Pane: Which piece?

Ed Meehan: The former Connecticut Children's Medical piece up on East Cedar Street.

Chairman Hall: Just above the star. On the gateway.

Ed Meehan: The piece we have been talking about. You want to keep it in the business designation?

Glenn Chalder: I think what I would, what we have done on the other map, is we had shown that area sort of in the business and the residential maps as having the red outline that said, resolve desirable zoning in this area. I think on the future land use plan, that red area is missing and it would seem to me that if we have specific recommendations we should either feed them here and take them back to the other one, or if we haven't resolved it yet, then take that red boundary to this map and make everything within it white and say, we still need to think this through.

Chairman Hall: I think I prefer that instead of specifically stating general business.

Ed Meehan: So you would show it as white being vacant?

Glenn Chalder: No, make a new category.

Chairman Hall: Undesignated, or whatever.

Ed Meehan: That is really the only big piece that jumps out at me. There is another piece over on, we talked about the possible office park off of Fenn Road, it's a big purple piece right now, which signifies the industrial zone. We may want to consider, you can leave it in the industrial zone because it is business, business commercial, or you could put a symbol there, future industrial park, or language you just had before, resolve future land use for this area. That is known as the Mongellow piece. A big piece of property.

Commissioner Pane: How many acres is that?

Ed Meehan: About thirty-five acres.

Commissioner Ganely: That Tudor home up there?

Ed Meehan: A lot of it is pretty tough piece of property, but it has unbelievable frontage on Route 9. In other words, if you were going northbound on Route 9, if you had some nice office, professional office buildings in there, would be quite a nice park.

Chairman Hall: Access not from Fenn Road though?

Ed Meehan: Yeah, you could access it from Fenn Road, right off of Ella Grasso, and you go up almost opposite Milk Lane and you go in that way.

Chairman Hall: No, what I'm saying is, if you were going to turn it into an office park, you probably would want to have the access from 9.

Ed Meehan: No, I don't think so. You would have topography issues.

Glenn Chalder: Ed, I think on page 36, number eleven, it identifies what you just described, I think the zoning.....

Ed Meehan: Yeah, okay and it ties it back to the opportunity map.

Glenn Chalder: I just noticed too that on the map on page 53, under commercial and industrial we say for example general business zones that, the word zones really should not be in this legend. It should say general business, town center business, and then industrial and given the comment that Ed just made, industrial/office. This is a land use map, not a zoning map so the word zone shouldn't appear.

Chairman Hall: Any other questions? I found this report to be highly readable. I liked the way it was divided into sections, I thought it all made sense.

Ed Meehan: What are the Commission's guidelines for getting this ready for public hearing in the fall. We had talked about something in late September. If we do that, between Glenn and myself we have to get that sixty-five day period rolling.

Commissioner Pane: I don't see why we can't put it off until the end of October if you guys need a little bit more time. I would like to get some of the changes that we just talked about back to us, I'd like to read through it one more time, and see if there is anything else that stands out and then talk about it as a Commission, one more time as we just did, review it and make sure we are all set before you guys go into final edition for public hearing.

Ed Meehan: Remember it is still a draft when we set it out for public hearing.

Commissioner Pane: I understand that.

Commissioner Casasanta: If we would have just one more opportunity to review the draft before.....

Ed Meehan: What I was thinking and this is more of a strategy issue than, this is where your guidance comes in, we want to get this done before Council members, because you are going to refer to Council, they will have, and I don't want to be straddled between two different elected officials, so early adoption in October before municipal elections is, before the election, because you don't know what is going to happen?

Commissioner Pane: How long is the public hearing?

Ed Meehan: You could have it one night, you could keep it open, you usually do.

Glenn Chalder: Most are one night.

Commissioner Pane: One night and then we could the following meeting get it all set for adoption and then send it to the Council.

Ed Meehan: No, you are sending it to the Council first, in draft form.

Commissioner Pane: Before the public hearing.

Ed Meehan: The process is different now, it's you have a requirement to send it to the Council sixty-five days before the public hearing.

Chairman Hall: See, that is why he wants to get an idea of.....

Ed Meehan: So this July, sometime early, mid-July we need to have....

Commissioner Pane: We only need one more discussion on this, really, just to review everything, which is.....

Ed Meehan: July 8th.

Commissioner Ganley: Can we turn it around that fast?

Chairman Hall: You know, a lot of members aren't going to be here on the 8th.

Commissioner Pane: When do you need to send it to the Council? Some time in July?

Ed Meehan: Yes. I think it was July 22nd.

Commissioner Pane: I don't see a problem.

Ed Meehan: By the 22nd.....

Chairman Hall: They meet the day before we do, we're the 23rd.

Ed Meehan: We need to wrap this up on the 22nd at this table and I believe that we need to issue the plan for sixty-five day review by July 27th.

Chairman Hall: So that is our second meeting in July.

Glenn Chalder: The referral (inaudible) date would be what Ed?

Ed Meehan: September 30th.

Commissioner Casasanta: But would the council, when is the council meeting?

Chairman Hall: The night before us. That's the problem.

Commissioner Pane: Well, they get sixty-five days.

Ed Meehan: They get two months.

Commissioner Pane: More than enough time.

Glenn Chalder: I think if the Commission was to have the plan on their agenda for discussion July 22, I don't see any reason why in the next month essentially that the text changes could be done fairly quickly, I need a little bit of coordination with Ed. The mapping stuff I think you and I have bounced this back a couple of times, but getting this to the Commission for example, around July 15th, which would give you a week before your meeting on July 22nd I think would work. The Commission can, on July 22nd if there are any final changes can just go ahead and schedule it with these changes, we will make those changes ASAP and all we want is sixty-five day notice period so that would put us into hearing September 30th, or the first week in October.

Commissioner Camerota: The second week, we're the second Wednesday in October.

Ed Meehan: Or we would have to have a special meeting. We could have a special public hearing night.

Commissioner Pane: Is that too late if you had it the first of October?

Ed Meehan: No, because you could adopt it before the end of the month, or the middle of the month.

Commissioner Pane: I think it's important that it meets his schedule, so that he is here for the public hearing. I think it would be important for him to get the feeling from the public and the rest of the Commissions so that you could put the final things together, instead of taking it from the minutes. So maybe the Commission could let the two of you work it out. It looks like we are on target, we have the next meeting, the 8th to talk about the rest of these changes here and then we are going to send it to the Council by the 22nd.

Ed Meehan: No, Glenn and I will endeavor to get a revised draft to you in your packet for July 15th, July 22nd huddle up around that, you tell us that night if those are okay or what things you want changed, we'll make those changes, then we will publish a plan, a draft plan and we will initiate the public hearing somewhere around the 27th or the 30th of July. That gives them part of July, August, and into September.

Glenn Chalder: I think we have almost seventy days.

Ed Meehan: Good.

Glenn Chalder: I put down the public hearing for October 7th, a special date and that gives us the 14th or the 28th to adopt, or again, we've been through the Council review, so October 7th, working backwards, July 29th is ten weeks, seventy days.

Ed Meehan: Okay, I just want to make sure that the Council, having referred this to them, have the opportunity to have input into it, not have the public hearing after they could be in office, they could be out of office, they could be lame ducks. They should have the opportunity to do it while they are in office.

Chairman Hall: Okay, we're good.

Ed Meehan: I will get together with Glenn, I've got a lot of markings, and will come up with a clean copy, it will be black and white, right?

Glenn Chalder: I think the map changes, we have some map changes and you and I will take a look at them.

Commissioner Pane: Is it possible to have a little bit of an outline for our next meeting, or.....

Ed Meehan: For the 8th?

Commissioner Pane: Yeah.

Ed Meehan: Outline of the changes? We can do a list, I can do a page by page list.

Commissioner Pane: Fine, that's all.

Ed Meehan: That will help me and Glenn going through.

Commissioner Pane: Okay, just so because we are going to look through this one more time and then if we get that in our packet then we can all look through it again and see if there is anything else that we want to change.

Glenn Chalder: Thank you very much.

Chairman Hall: Thank you.

VII. OLD BUSINESS

A. PETITION 10-09 – 768 North Mountain Road, Carlos V. Susaya owner and applicant, 26 Montrose Street, Hartford, CT 06106, request for Site Plan Development to construct 1,600 sq. ft. structure, I Industrial Zone District. Inland Wetlands Commission report received. Continued from June 10, 2009.

Commissioner Pane: Can we talk about this as a staff report, I've got a lot of questions on it.

Chairman Hall: The North Mountain Road one?

Commissioner Pane: Yeah, I mean, we didn't even see a design on it, the place was in shambles and here we have a motion to approve it. I'm not in favor.

Ed Meehan: There was a site plan.

Commissioner Pane: Yeah, but it wasn't a real good site plan. There's all brick buildings in the area and this was a piece of crap they were presenting and here we are as a Commission, we've got one motion just to approve it. If I had my way, I'd make a motion right now to disapprove it because of insufficient information brought to the board.

Commissioner Casasanta: Isn't that the one that was all wrong too?

Commissioner Pane: It doesn't make any sense. Come back and present a good plan to us, show us samples of what you are going to do, the buffer, everything, it was a poor, poor job, and what we're doing is just to approve this to take care of a problem area that is wrong.

Chairman Hall: Now what is the reason for it coming back tonight, there was a reason, something about, was it the sixty-five day....

Ed Meehan: We are getting close to the sixty-five days depending on how you count the Inland Wetland Review, but let me explain what has gone on since the last time this was before you. The plan has been back to staff twice, with the list of changes that we discussed, and some of

them were just poor draftsmanship like I mean they had a one story building, it should have been two stories, they didn't have the correct orientation for what elevation was going to face the street. They did have a wrong ten foot set-back on the northerly side that was corrected. So all of those things have been corrected, they missed a couple of things that are listed here, on the roof leaders which the town engineer told them we don't want to bring the roof leaders out to the street and cut up the road, we want to bring it out to the back into a catch basin. So that is a requirement. The driveway opening, the whole site now is completely open to the street and the standard is a minimum of 28 feet. It's a small site, they don't need a large driveway opening. Number 3, they should not be planting any vegetation in the town right of way, least of all arborvitae which get quite large, and four is to address the comments on the building elevations to try to make the building look like it's not a garage. Basically they had a pass door and two windows on the front side. It is proposed to be a gabled building, with siding and what is here is to put windows on the second level to make it look like a building that has some style to it. As far as trying to make them do split face block and this and that, it's not in our industrial parks, we don't have design controls.

Commissioner Pane: But we can make it look like a, it goes back to the subject of Tom Ganley saying, well Glastonbury can get a CVS looking like this and we get one looking like this, this building doesn't look like any other building in that area, and we can request whether they like it or not, we can request a brick front building and we can make it so that it is compatible to the others.

Ed Meehan: I don't think you can, I beg to differ with you.

Commissioner Pane: I think as a policy decision this board could, whether or not they challenge it or not is another story.

Ed Meehan: Whether they challenge it is true, but you can only go by what is in your zoning regulations. If this was in one of your industrial parks.....

Commissioner Pane: Well, you just admitted two minutes ago that this was a crap design.

Ed Meehan: No, I didn't say it was a crap design....

Commissioner Pane: You said it wasn't very nice....

Ed Meehan: I said to make it look presentable to the street, it's different putting windows on a building than going with a brick or a split face block, there are economic differences.

Commissioner Pane: Yeah, but you're not, we don't take economic differences in this board, okay, and if most of the other buildings are brick over there, we could ask for a brick front. That is not too much of an economic....

Ed Meehan: You can ask for it, I don't think you have the legal right to force it. That's the advice that I am giving you.

Commissioner Pane: We ask people to put, when they come in for metal buildings, we ask them to put split face block up, all the time.

Ed Meehan: For example?

Commissioner Pane: Well, Pane Road, you told them to put split face block up so many feet, and around the building, because the metal wasn't consistent with that area.

Ed Meehan: It's across the street from your business industrial park.

Commissioner Pane: Exactly.

Ed Meehan: This is not Pane Road.

You need to make a decision whether to vote this up or down because if you don't act on it, it's approved by default.

Commissioner Pane: I understand that and I think that, the plan, we didn't see any of the materials that they were going to put, present to us, I think that the whole way that it was presented to us was real poor and it was basically because they had a violation over there and instead of taking care of the violation they are coming in like this and presenting a poor plan, and I don't approve.

Commissioner Ganley: Point of order, we have to get the motion on the floor before we can initiate a discussion about the motion, so if we can at least do that for purposes of someone going back and finding out what we did with this thing, at least they will say, well, they got the motion on the floor and discussed it, so I suggest that we do that.

Chairman Hall: Now you are supposed to read it, did you say that your glasses.....

Commissioner Pane: I can read it.

Commissioner Pane moved that Petition 10-09 768 North Mountain Road, Carlos V. Susaya owner and applicant, 26 Montrose Street, Hartford, CT 06106, request for Site Plan Development to construct 1,600 sq. ft. structure, I Industrial Zone District be approved based on the plans prepared by Oswald Blint, L.S. revised dated June 18, 2009 entitled "Zoning Location Survey" scale 1"=20' and building elevations revised dated March 26, 2009 prepared by Inga Consulting Engineers.

This site plan development is based on the Newington Conservation Commission's Inland Wetlands Application 2009-03 which is made a part of this approval.

Prior to the Town Plan and Zoning Commission's chairman signing the site plan mylar the following modifications shall be made:

1. Roof leaders shall be connected to a storm drainage system with catch basin clean out as required by the Town Engineer.
2. The driveway opening shall be reduced from 37 feet to 28 feet per Section 6.1 Figure 3.
3. Arborvitae planting shall not be installed in the Town street right of way. This area (both sides of the driveway) shall be loamed and seeded for lawn.
4. The building elevations, front side facing street, shall be changed to show placement of double hung windows, four (4) minimum, across the second floor level of the building.

The motion was seconded by Commissioner Ganley.

Chairman Hall: Ed, as far as what they have done compared to what we saw before, they have come back two times, three times.....

Ed Meehan: They have been back to staff two times, but I'm not here, I want to say, I'm not here to advocate or represent the applicant. I think he was in the audience and left. The plan now meets the zoning requirements for this area. It meets the proper side yard set back, it meets the other requirements for the design of the driveway, the parking, the utility services. When it was originally presented about a month ago, it was also going to Conservation at the time, it didn't meet the critical zoning standards for this area, one of them being the ten foot side yard setback. The other one being the parking requirement. So, is it a brick face building, a split face block building, no, but as far as the use and the design standards for the I zone, it meets those requirements. I think these requirements here, items one through four, make it a better plan. The option of not acting on this tonight is probably to deny it because we are not going to get an extension because the gentleman left. I told him on Monday when he came in with the plans, I said, you need to give me a letter of extension or be at the meeting. Anyway, he could have given us a letter of extension.

Commissioner Pane: Did you look at a landscaping plan? Did they give you a landscaping plan for the front?

Ed Meehan: Yes.

Commissioner Aieta: Are they cleaning up the back at all?

Ed Meehan: Yes. The back is going to be reorganized pursuant to the wetlands and there's issues with, it's a paved parking lot, the gentleman has stored various types of materials, equipment, and when it rains if it's dirt or whatever it is, it washes into the wetlands and that's being addressed by the wetlands. It's being addressed by the Town Engineer's requirement through the leaders and the catch basin back there. The landscaping is basically foundation plantings, along the front of the building and one side. They went overboard, the guy had like arborvitae everywhere and you can't put arborvitae out where they block sight lines.

Commissioner Pane: There's not outside storage is there?

Ed Meehan: The storage is his materials, he's a street contractor I believe so he is going to have granite and probably stone and his equipment.

Commissioner Pane: Is that going to be visible from the street?

Ed Meehan: The only thing you are going to see from the street is this building, and a driveway.

Commissioner Aieta: And we are looking at the gable end.

Ed Meehan: Why don't I put the plans up, the plans are here.

Chairman Hall: Please do.

Ed Meehan: These are the June 18th plans with the markings from either myself or the Town Engineer. So you see marked on this plan the building footprint of a 1600 square foot building with ten foot side yard on the north side, and the driveway to the south, so you are not going to see anything behind this building. There will be a gate on the driveway, and then there will be four or five spaces on the front. Concrete sidewalk leading to a pass door.

Commissioner Pane: What is that area there?

Ed Meehan: Those are some of the edges of the pavement storage areas. The leaders are to go to the back, towards the wetlands but they have to be in a sump trap system.

Commissioner Aieta: What is the extent of the wetlands?

Ed Meehan: Well, everything from here back, this is all wetlands, so this is the one hundred foot review area, the buffer. So the only thing that you are going to see from the street is this opening right here. This is a forty by forty building.

Commissioner Pane: What about along the property line here?

Ed Meehan: This is the edge of the existing building next door, this is a fence line with heavy vegetation. So you are not going to see much from the street. Now, what the building looks like....

Commissioner Pane: It's all vinyl siding in the front?

Ed Meehan: Yes, it's a vinyl sided building, that is supposed to be the front. I said to the applicant, you have to do something to dress this up. There is an issue with understanding what I am trying to communicate and so I said you have to put windows or maybe you ought to change the pass door because it looks like it was in the wrong location, but if you look at his floor plans, that is really where his stairwell goes up. So I wasn't going to redesign the building for the gentleman.

Commissioner Pane: Is that a glass door or a metal door?

Ed Meehan: It looks to me that it is a solid, metal door, pass door.

Commissioner Pane: Well, this is exactly what I am talking about, some architectural details that will brighten this up a little bit. This is poor, facing those other buildings that are on North Mountain road, and if you have ever driven down North Mountain Road there's a lot of nice buildings.

Ed Meehan: There is a landscape company to the south of him, and there is a landscape company across the street and next to the landscape company across the street, we have issues with the outside storage going on there, so across the street from this site is not very attractive, a lot of junk out there. Be that as it may, I mean, you can act on this the way that it is, you can deny it.....

Commissioner Pane: And we can make modifications, we can approve it. I'm not trying to deny this for any special reason except I think that the door in the front could look a little nicer, and it doesn't have to be all brick over the whole front, but you could do a brick face with the top being siding and it would clean it up a lot with glass door going to the front, you don't need a metal door facing there, that, or a solid wood door with some architectural details on it or something like that. Then I think with the proper landscaping in there I think it would blend a little bit better. That's just my opinion.

Ed Meehan: I'm not here to take Mr. Susaya's, he should have had his land surveyor at the last meeting instead of him representing this. He did not take that opportunity.

Chairman Hall: Now, the 1600 square foot structure, I just want to make sure, and I made this comment the last time, that the fact that he has a second floor is not going to turn into any kind of living area?

Ed Meehan: You cannot have a residential area in an industrial zone. Having said that, I mean, he's got bathrooms on the first floor, he has a stairwell going up to, looks like second floor storage.

You have three options, you can deny this, you can approve it and you can approve it with modifications, but I hope this doesn't get approved by default because then what we would have is a plan that would get approved without these requirements, the way he submitted it.

Commissioner Pane: I think we should act on it. I'm not saying that we shouldn't act on it, Ed, I'm just saying we could get something a little nicer for that area, that's all.

Commissioner Schatz: It improves the site one hundred percent by having the building from what is there now?

Ed Meehan: Yes. It improves the site, yes. Do you want to do anything with number four?

Chairman Hall: It was read as such, anyone want to make any kind of an amendment to this?

Commissioner Pane: Will anyone entertain a motion for some brick on the lower section of the building and a more pleasing front door.

Commissioner Schatz: I think you would have to say how high, how big, how wide?

Commissioner Pane: The lower section.

Commissioner Schatz: Well, how high is the lower section?

Commissioner Pane: To be determined by the Town Planner.

Ed Meehan: Well, the first floor level will be about eight feet, eight to ten feet.

Chairman Hall: So all you would be interested in is having it in the front, from the front view.

Commissioner Pane: Yes.

Chairman Hall: I think we have to be more specific about the door. If we just say pleasing, everybody's opinion.....

Commissioner Pane: Well, I didn't mean that.....

Chairman Hall: Well, do you want to say that it has to be a glass door, it has to be a wooden door, has to be a metal.....

Commissioner Pane: Well, it would be a wood door with raised panels.....

Chairman Hall: It could be a metal door with raised panels,

Commissioner Pane: Or a metal door with raised panels, or a glass door.

Commissioner Ganley: He is going to want a door that is going to keep people from breaking in and stealing his stuff, so it's got to be a rigid door.

Chairman Hall: Steel door would be fine

Commissioner Aieta: With lights on the top, you know, glass, lights, a six panel door.

Chairman Hall: If this is how you want to make it, we have to amend number four I would say.

Commissioner Pane: Or add number five.

Ed Meehan: I would suggest that you elaborate more in number four what you want to do with the elevations in addition to the windows, brick along the front façade to a level of eight feet, and a steel, raised panel pass door, with lights, window lights.

Commissioner Pane: Should the brick go to the height of the first floor?

Ed Meehan: I would say not lower than eight feet. I would have to scale exactly what this building is.

Commissioner Pane: Okay, I wouldn't want it too low, then it looks out of proportion so either first floor, and not lower than eight feet, something like that.

Chairman Hall: Do we have to rescind the first, or can we just amend?

Commissioner Ganely: You have a second on the motion itself.

Commissioner Pane: Who seconded it?

Chairman Hall: Tom did.

Commissioner Camerota: Can you withdraw your second?

Commissioner Ganley: Yes I can withdraw my second and then the motion dies.....

Commissioner Camerota: They we would have to read the whole thing again.

Commissioner Pane: But you could agree to the change too, as a second.

Commissioner Ganley: Well, we're amending now, we have the motion on the floor and we are now going to amend that motion, so we have to vote on.....

Commissioner Casasanta: Can I make a motion to approve Petition 10-09 as amended?

Chairman Hall: We have to read the amendment so we all know what it is. Amended as, and then I will have you read it. I think we can do that. Amend the motion as.....,

Commissioner Ganley: I don't think the petitioner will complain.

Ed Meehan: Would you like me to add what I think....

Chairman Hall: Yeah, run it by us first.

Ed Meehan: Okay, number four reads, the building elevations, front side facing street, shall be changed to show placement of double hung windows, four (4) minimum, across the second floor level of the building, add brick façade to the second floor level and change pass door to raised panel door with windows.

Chairman Hall: It's going to confuse him, he's going to think he has to put brick on the second floor, up to, up to the second floor level.

Ed Meehan: Brick façade, up to the second floor level.

Chairman Hall: So we'll have Mike read that as amended.

Commissioner Casasanta: Do I have to read the whole thing?

Chairman Hall: No, just move to amend....

Commissioner Casasanta: I move to amend Petition 10-09 768 North Mountain Road Site Plan Development to include, add to number four, add brick façade up to the second floor level and change pass door to a raised panel door with windows.

The amendment was seconded by Commissioner Ganley.

The vote was unanimously in favor of the motion, with seven voting YES.

B. PETITION 14-09 – 35 Budney Road, On-Site Gas Systems, Inc., Guy Hatch applicant, Hursey Enterprises, LLC owner, represented by Fuss & O'Neil Inc., Ronald Bomengen, 146 Hartford Road, Manchester, CT 06040, request for Site Plan Modification to add additional parking, PD Zone District. Inland Wetland Commission report required. Sixty-five day decision period ends July 17, 2009.

Commissioner Casasanta moved that PETITION 14-09 35 Budney Road, On-Site Gas Systems, Inc., Guy Hatch applicant, Hursey Enterprises, LLC owner, represented by Fuss & O'Neil Inc., Ronald Bomengen, 146 Hartford Road, Manchester, CT 06040, request for Site Plan Modification to add additional parking, PD Zone District. Inland Wetland Commission report required, be postponed to July 8, 2009.

The motion was seconded by Commissioner Kornichuk.

Ed Meehan: This was going to be up for a vote tonight, but we don't have a Conservation Commission report, they didn't have a quorum at their last meeting so.....

Commissioner Aieta: Does this go over the sixty-five days?

Ed Meehan: We get an automatic extension until, we have thirty-five days from the receipt of the wetlands report. They have a meeting next week.

The vote was unanimously in favor of the motion, with seven voting YES.

C. Tilcon Connecticut - Balf Quarry, 2009 to 2011 Statement of Operations and Site Plan, represented by Mr. Frank T. Lane, Director of Real Estate & Environmental Compliance, 1 Forest Road, North Branford, CT 06471. Presentation to TPZ Commission June 10, 2009.

Commissioner Camerota moved that the Chairman be authorized to sign the Balf Company 2009 quarry area plan, revised dated 3-27-2009, prepared by J.R. Russo & Associates, Scale 1"=100' Sheet 1 of 1 and further that the Commission acknowledge receipt of the two (2) years Statement of Operations, 2009 to 2011, as presented by Mr. Frank Lane, Director of Real Estate & Environmental Compliance, June 10, 2009.

The motion was seconded by Commissioner Kornichuk.

Ed Meehan: This is pretty much standard with the Commission's involvement, probably for the last ten years.

The vote was unanimously in favor of the motion, with seven voting YES.

**Bond Reduction
Newington Ridge
Toll Brothers**

Ed Meehan: I would usually give this under my staff report, but this came in late today, so if you want to add this to the agenda it would be helpful.

Commissioner Casasanta moved to add the Bond Reduction for Toll Brothers to the agenda. The motion was seconded by Commissioner Ganley.

The vote was unanimously in favor of the motion.

Commissioner Ganley moved that the site bond for the Newington Ridge residential condominiums project posted by Toll Brothers, Inc., in the amount of \$141,000 be reduced to \$5,000. The balance of \$5,000 shall be held until the remaining items as identified by the Town Engineer (repair of sidewalks, grass germination and replanting of dead landscaping) are completed.

The motion was seconded by Commissioner Kornichuk.

Ed Meehan: This site is, the \$141,000 is in the form of a letter of credit which the one year expiration is July 6th. Toll Brothers is ready to pave all of the roads this week, I think they were going to try to get it today, all their roads are in a binder, and they are already to go, everything has been marked out, so by the end of this week they will be paved but there were still items when the Town Engineer went up there that we want to hold some money for, that's why the \$5,000 is there. There are a lot of areas between buildings that they went in and regraded and seeded, but hasn't germinated yet.

Commissioner Aieta: \$5,000 is enough, you think?

Ed Meehan: For those, those items are small. The sidewalks are where the equipment drove over them, just small slabs here and there, but otherwise, the site is in good shape.

The vote was unanimously in favor of the motion, with seven voting YES.

VIII. PETITIONS FOR SCHEDULING (TPZ July 8, 2009 and July 22, 2009.)

- A. PETITION 16-09– Hunter Development Company, P.O. Box 336 East Long Meadow, MA 01028, Attention Michael Frisbie applicant, HDC One, LLC owner, request for amendment Section 5.2.5 Special Exception B-BT Zone District. Schedule for July 8, 2009. Public hearing continued from June 10, 2009.
- B. PETITION 18-09 647 North Mountain Road, BAPS Hartford, LLC, owner Nikhil S. Vyas, applicant, VB Tech Corporation, 2049 Silas Deane Highway, #1E, Rocky Hill CT 06067, request for Special Exception Section 3.2.1, Places of Worship – Residential Quarter, B-Business Zone District. Schedule for Public Hearing, July 8, 2009.

Ed Meehan: Hunter Development we pushed that out to July 8th from tonight, so that's, that's a continued public hearing so we need to do that. 647 North Mountain Road, they have been waiting in the queue for a while. They probably should go on the 8th, that's for the residential quarters within the place of worship.

Chairman Hall: That's the old.....

Ed Meehan: Knights of Columbus Hall.

Other items that came in after the agenda was sent out, we have an application for the Sphinx Car Show, in August, August 15th, so that requires a public hearing, we have a site plan for a Lowe's Bank of America for a kiosk, an ATM kiosk. They had started this back in the fall, but they never got the right signatures from Lowe's.

Commissioner Aieta: Where is this?

Ed Meehan: Lowe's, off of Deming. You would drive in and one of the islands, they would set up a kiosk where you could drive up and go to an ATM, just not associated with a bank.

Commissioner Aieta: This is good to bring them in because we could get them maybe to clean up the parking lot and stuff, where they are displaying all their merchandise.

Commissioner Pane: That's what I said the last time they came in, and then they didn't come in for a long time.

Ed Meehan: The third item is the Jefferson House is proposing a small addition which requires a site plan modification. I don't know if you want to do this all, I mean, the Sphinx will be very quick, the public hearing for the car show. Lowe's shouldn't take that long, it's up to you how much you want to do.

Chairman Hall: And we are going to have the draft again, for the plan.

Ed Meehan: You will have a list of all the changes, hopefully we will have most of it done.

Chairman Hall: And Hunter Development and North Mountain Road.

Ed Meehan: Hunter will take some time, I'm sure because of his attorney.

Chairman Hall: We might as well get it over with, we will have enough to fill the table, so do it.

IX. PUBLIC PARTICIPATION
(For items not listed on agenda)

None.

X. REMARKS BY COMMISSIONERS

Ed Meehan: I copied this, so everyone knows the outcome of the decision that was made and where it stands.

Chairman Hall: Has everyone had a chance to read this letter? If not, take a moment just to review it and.....The back part is what came to us originally, it's just the top part that is new. Questions, comments?

Commissioner Aieta: I have a comment, I think he overstepped his bounds as a town manager. This is a policy decision that should have gone to the town council. This is way beyond what he should be making decisions on as a town manager. Basically he overstepped his bounds. He's re-writing the zoning regulations basically. He's going against everything that is in our zoning regulations. The sign is not allowed. I can tell you, I was on this Commission twenty something, thirty years ago, and they never ever, ever, ever did the town ever come to this Commission and ask for an opinion that they just disregarded completely and said, well, we'll just do what we want. They have never done this, ever. This is a new precedent by this Town Manager. I don't think he even has the authority to do this, but that's for someone else to decide. Let it be on the record that I am opposed to him taking this action. How do we, as a Commission, when someone else comes in, even though he has all these caveats on here that this is the only one, how do we say to the businessman who comes in and says, I drove by the high school, they have one, why can't I have one? We have to say, well, maybe we should keep this and make copies of it so we could give it to the applicants who come in, say here, this is the Town Manager's decision, not this boards. We can't just open it up for everybody in town to have these kind of signs, or we will have a zoo on the Berlin Turnpike. I can just see every business wanting one of these signs.

Chairman Hall: Other comments?

Commissioner Pane: Madam Chairman, I just think that he's undermining this entire board and what this entire board stands for. He's undermined our Town Planner, I think before he made any decision at all he should have come back to us. He thinks that it was just internally lit, now they are going to have this sign changing every ten minutes, that doesn't even comply with the way that the Walgreen's sign is which is going to stay one message all day long and then turned off. They're not even complying with that the way that he set this up. I think that we need to get a message to the Town Council that we want this rescinded and if anything, whether you are for this or against this, I think we should all agree that the way he came about this was wrong and that this decision should be made by the Town Council and not by the Town Manager. It's a policy decision, Town Council makes policy decisions. I think as a board we should write the Town Council, ask the Town Council to have him rescind this, get it back to the Town Council, have the Town Council get a report from this Commission and our Town Planner and then, if they want to allow it, then let the Town Council allow it, not the Town Manager.

Commissioner Casasanta: When we took our informal poling, I was in favor of allowing the high school to put this sign up, but at the same token, we decided informally not to allow it, and I think what the Town Manager did, in just basically overriding any authority that we had, and basically laying the foundation for future town projects, that you don't even need to go through the TPZ for any future town development, because that is pretty much what he pretty much did. I think we need to send some type of a message to the Town Manager saying, letting him know how displeased we are with his actions and something needs to be done. I agree with a lot of what Dom was saying because it's like now if the Fire Department wants to do something, they don't need to come to us now if they want, for whatever reason, whether it be a sign or any other zoning issue, they can completely by-pass us because he has rendered us completely useless with respect to town property.

Commissioner Aieta: The Fire Department came in for exactly the same sign, and as a commission, we told them no, you can't do it. You have to have changeable letters.

Commissioner Pane: Let's face it, the only reason the Town Manager is making this decision is because the administration of the Board of Ed has strong armed him to change it. I think we need to send him a message, tell the Town Council to take care of this. Town Council is the only one that can take care of this and it's, whether you are for the sign or against the sign the way this came about, he's undermined this whole Commission. This Commission controls signage,

the Town Planner, with this Commission of several different years, over a long period of time, came up with signage for this town that was uniform, consistent and we've complied with it and all of a sudden.....

Commissioner Aieta: And it was a higher standard.

Commissioner Pane: It was a high standard.

Commissioner Aieta: That we held the businesses in town, which the town planner said we should be setting, as a town, setting the standards that are higher than what the businesses would normally do. They look at the town as an example. This is going to be the example and I don't even think this was well thought out as far as safety, who is the traffic authority? The Town Manager?

Chairman Hall: Yes.

Commissioner Aieta: Did he look at this, people rubbernecking to read this sign, It's not even on the right of way, it's set back twenty, thirty.....

Commissioner Pane: No, forty feet at least.

Commissioner Aieta: Forty feet into the property, people are going to be rubbernecking to read the sign. Then, there was no consideration given, that piece of property is right across the street from residences. What about the residences? It's going to be blinking until ten o'clock at night. I mean, no consideration was given for those people who live across the street. Not at all! You're going to have it from 6:00 a.m. to 10:00 p.m.

Commissioner Pane: Changing every ten minutes.

Commissioner Aieta: This is not right, this was not well thought out at all.

Commissioner Ganley: The position that I had taken on this thing was fairly cut and dried, at least in my opinion, and that was that we as a Commission have no authority over use of public land. That was my particular position. Also that the prior administrative letter which was not challenged and goes back several years, absent it being in fact challenged stood as what we were guided by, so we actually had no authority in the issue. It may be a point that Dom is making that the Council may have to decide, well maybe in retrospect we ought to change the manager's position, I don't think that is very likely to be very frank. I think that the Council, probably through the Manager will retain the reins of how public land is going to be used, and they could put up a sky scraper if they want, and we won't have anything to say about it because it is public land. I think that's the issue. It may sound like splitting hairs, but that's where I sit on the issue.

Commissioner Aieta: Well, there's state statutes that require the town to come to us, it's an 8-24, it gets our opinion, gets our input, they are not exempt to the point where they can do whatever they want. There are statues that they have to come to us for our input.

Commissioner Ganley: Well, they did, and we gave it, we debated it at length, the minutes are very extensive on what we did, but when it went back to them.....

Chairman Hall: They chose to do something else.

Commissioner Ganley: They chose to do what they have the full authority to do absent someone saying that they don't.

Commissioner Schatz: So if they go ahead with this, which it sounds like they will, they have to get state approval?

Chairman Hall: They can do what they want, pretty much.

Commissioner Schatz: Really, well, I thought that in the beginning, I thought well, it's Board of Education, it's education property, they could do whatever, they didn't even need the Town Manager, they just go do it, and not that any of us, say it would clear up a lot of those signs, make it better, but on the other hand, I don't think I would want a blinking sign across the street.

Commissioner Aieta: They had no consideration for the residents there. Wait until they put it up and the residents.....

Commissioner Ganley: Then they will handle it.

Chairman Hall: That will be the final word. I'm not going to take the position that I can do what I want, I would like your input, but what I would like to do is write a letter to the Town Manager explaining my disappointment with his choice, explain that we had taken time to discuss this around the table, that we gave it a lot of thought, pros and cons, not that we are anti-education, not that we are anti-the sign, because actually it is a good idea to consolidate the signs and get it off the tents up and down Willard Avenue, but we had real concerns about neighbors, we had concerns about traffic, I still have tremendous concerns about the fact that they are putting it smack dab in the middle of that stretch, because it will create a distraction. It wasn't that we were anti the process. We are totally anti what he did, and he needs to know that we feel that he has essentially overstepped his bounds, in our eyes. Now, he may not believe that, but I think we need to tell him that in town, if there is to be consistency and if there is to be a look that we have tried to establish in town, that they can't ignore us one hundred percent. Now if they choose to ignore us, fine, but I am not going to take this without responding.

Commissioner Aieta: Can I just add what might be helpful? If you send it and send it through a communication to the Council so it gets read into the record.

Chairman Hall: Well it will be as part of the communication and I will ask him to read it at the Council meeting, or have the Mayor read it or whatever.

Commissioner Pane: I think it should be directed to the Councilors about this situation. Direct it to the Councilors and ask for.....

Commissioner Aieta: So they have to discuss.....

Commissioner Pane: They could discuss this, write to the Councilors, and ask that the Town Manager, ask the Town Council to rescind, have the town manager rescinded on a temporary basis so that the Town Council can talk about this issue, decide whether or not this is a policy decision, and then get a report from our Commission, and then let them make the decision. Not the Town Manager.

Commissioner Ganley: I think your tone is exactly what we need, express disappointment, and I don't think we should be telling them how to.....

Chairman Hall: Let me add a little bit more here. It is my understanding, through conversations with the Mayor and indirectly with the Town Manager, that they have asked that this be put on hold for the moment. There is a possibility that I'm even going to be having a meeting with them. So that I will be face to face with them, but I want it in writing as well. I don't want to have just a meeting.

Commissioner Aieta: She is doing it the right way. She sends it as a communication to the Council, it's going to be read into the record, and there are going to be comments. If the Council people feel that it is important, then they will make comments. She's doing it the right way, and if you have the opportunity to sit face to face with them, you can tell them our concerns because you feel the same way.

Chairman Hall: I will. I was shocked, quite frankly that this occurred. It wasn't as if we were being very off-handed about this. We really spent some time and discussed it. The night Lou was here, we pretty much told him, gee, we'd love to accommodate something like this, idea wise, but we had real concerns about why this particular thing was not something that we as a board felt was appropriate.

Commissioner Pane: And we still allowed a sign there.

Chairman Hall: Correct.

Commissioner Pane: So it's not like we said, no sign at all. So there are a lot of concerns.

Chairman Hall: So anyway, so is not the end of it, it will continue, and if need be, I will go as part of public participation at some point for the Council, they have public participation at the beginning for items not on the agenda, if they chose to ignore it, I will go to a Council meeting. I just feel that we cannot take this sitting down.

Commissioner Aieta: They are undermining the process here.

Chairman Hall: And it's a terrible precedent because if it's this, what is the next thing? Why are we here every other Wednesday if what we say.....

Commissioner Aieta: Doesn't mean anything.

Commissioner Pane: Otherwise the Town Manager can sit here with Ed Meehan and they could figure out everything.

Chairman Hall: Any other questions?

Commissioner Pane: No, that was very good, Cathy.

Commissioner Camerota: I appreciate you doing that, Cathy.

Chairman Hall: Well, we have to.....

Commissioner Pane: Keep us abreast of it, because if you need us to come to the Council meeting, I think some of us can come to the Council meetings, so keep us abreast of it because I would like to say a couple of words to.....

Chairman Hall: Now, Remarks by Commissioners other than what we have spoken about. Anyone have any other issue that they want to bring before this board?

Commissioner Aieta: The Town Planner gave us a report on the outstanding bonds, some of them go back so far....

Ed Meehan: There are three on here that go back to the '90's, I think. Occhialini Court, which is by pass book. I did some research in the town manager's office. There are notes in the file that apparently the town engineer, Peter Arburr was looking for lot pinning and mere stones which has not been done.

Commissioner Aieta: I don't think you could do it properly for five thousand which is probably why they didn't do it.

Ed Meehan: Maybe not

Commissioner Pane: Wasn't there a second course done on there too, of pavement.

Ed Meehan: The only thing I saw and this was from one of Peter's staff people, was need lot pins and mere stones. Highway, I checked with.....

Commissioner Pane: How did the town ever accept the road?

Ed Meehan: They didn't, we never accepted the road.

Commissioner Pane: So the road is not accepted but the town is taking care of the road.

Ed Meehan: We're plowing it. Well, we plow roads with residents on them before we accept them because of public safety like Rockledge, Waverly.

Commissioner Aieta: What do you think we could get done for the five thousand?

Ed Meehan: Well, I would like to get a warranty deed and an as-built so we can put it in our town road accepted list.

Chairman Hall: Did you check to make sure that pass book is still valid?

Ed Meehan: I didn't take it to Webster Bank.

Chairman Hall: After seventeen or eighteen years if there as been no transaction on the account, often times after a period of time the State takes that money.

Ed Meehan: Well, it was re-posted on Webster Bank, it started with Burritt, but it was re-posted in the late '90's on Webster. So that is one of them, and the other one, and this is number eight on the list, this is on the corner over here on the corner of Wilson and Walsh, a bond for a sidewalk, it was a re-subdivision of a corner lot, they came to the Commission at least once, maybe twice asking for relief of that sidewalk requirement. There are no other sidewalks on Wilson or Walsh. If it is the Commission's position that you still want sidewalks, then we have to hold this.

Commissioner Aieta: This would connect to nothing?

Ed Meehan: Nothing. Goes from Main Street to Walsh. I mean, I could get you some mapping and.....

Commissioner Aieta: That's not right, because you will never, ever, ever, get anyone to continue that sidewalk. So how do we address this.....

Ed Meehan: We will get you a report, and get it on your agenda and then you can decide what you want to do with it. The third one was Big Sky, number one. Two things have happened, the sink hole issue was resolved with their contractor, they fixed that. They went out to get pavement prices last summer, they didn't have enough money to do the pavement, so they are going to go back out between now and the end of this summer.

Commissioner Aieta: The twenty six thousand won't cover the paving?

Ed Meehan: This twenty-six thousand based on our estimate is pavement at about fifty, fifty-five dollars a ton, and you are not going to get that now days. You are probably going to pay sixty five to eighty dollars a ton. So that is up to them to get it paved. The bond that is related to this is number two, Niro Landscaping. The two property owners have an agreement on a landscape buffer that Niro was going to put up on Big Sky, basically all Niro has to do is plant some arborvitae and will get their six thousand dollars back. I don't know why Peter Niro hasn't done that yet, I called him again, he hasn't gotten back to me. The other ones are fairly current, and they are all cash bonds except for Pulte Homes which you see as a million dollar bond. We have done site work inspections, and we have another one tomorrow. Their paving will be done by the middle of August.

Commissioner Aieta: So they should be coming back to us.

Ed Meehan: Looking for a reduction, yes. Sterling and Barkledge are both town roads, but they have to start the acceptance process, so that one is in pretty good shape. The others are cash, and fairly small.

I have to figure out how to handle Occhialini. I called David, it's in his father's name, Antonio. Is he still alive, maybe between David and Mike they can take care of this. There is a vacant lot down there, and what we have done in the past is that we have actually liened the lot, we did that on Jefferson Court where the Bank of Hartford went bust and they wouldn't honor the bond, so we liened the lot. Before they sold the lot they had to pay the town twelve thousand dollars or so, but I don't want to get into liening lots.

Commissioner Aieta: I think for five thousand you should be able to get something done, pin the lots, or the acceptance of the road, or something.

Ed Meehan: I think the appropriate thing is to get, have them get an attorney and have them do a warranty deed description based on, we have the street plans are in good shape, the profiles, the mylars have all been filed and do your warranty deed based on that.

Commissioner Pane: Maybe we'll get that in before the road has to be repaved.

Chairman Hall: Anyone else?

Commissioner Camerota: Ed, you probably are going to want to go and check the TNT fireworks display outside of Circuit City. They have about ten lawn signs going up and down the road, from Friendly's to.....

Ed Meehan: When I was out before dinner tonight, I went by and saw that they had their little ground signs. We will be talking with Melissa.....

Commissioner Aieta: We talked so extensively about allowing them to put the banner sign on the pylon and everything.

Chairman Hall: Anything else? Thank you very much for this evening, I know it was a long night, but I think we got a lot accomplished.

XI. STAFF REPORT

None.

XII. ADJOURNMENT

Commissioner Pane moved to adjourn the meeting. The motion was seconded by Commissioner Kornichuk. The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary